

RED HILL VALLEY PARKWAY INQUIRY

TRANSCRIPT OF PROCEEDINGS
HEARD BEFORE THE HONOURABLE
HERMAN J. WILTON-SIEGEL
held via Arbitration Place Virtual
on Friday, September 2, 2022 at 9:30 a.m.

VOLUME 53

Arbitration Place © 2022
940-100 Queen Street 900-333 Bay Street
Ottawa, Ontario K1P 1J9 Toronto, Ontario M5H 2R2
(613) 564-2727 (416)861-8720

APPEARANCES:

Emily C. Lawrence
Chloe Hendrie

For Red Hill Valley
Parkway

Sahar Talebi
Delna Contractor

For City of Hamilton

Heather McIvor

For Province of
Ontario

Jennifer McAleer

For Dufferin Construction

Jennifer Roberts

For Golder Associates Inc.

INDEX

| | PAGE |
|-------------------------------------|--------|
| AFFIRMED: DIANA CAMERON | 9832 |
| EXAMINATION BY MS. LAWRENCE | 9832 |
| EXAMINATION BY MS. JENNIFER ROBERTS | 10,016 |
| EXAMINATION BY MS. TALEBI | 10,032 |

1 Arbitration Place Virtual

2 --- Upon resuming on Friday, September 2, 2022

3 at 9:30 a.m.

4 MS. LAWRENCE: Good morning,
5 Mr. Commissioner. I've been advised by the City
6 that they are having some technical difficulties
7 on their end and they sought to stand down the
8 start of today's proceeding until 9:45. Of course
9 we have no objection to that.

10 JUSTICE WILTON-SIEGEL: Then
11 we'll stand adjourned until 9:45.

12 --- Recess taken at 9:32 a.m.

13 --- Upon resuming at 9:47 a.m.

14 MS. LAWRENCE: Good morning.
15 I believe we're ready to proceed. Our witness
16 today, Commissioner, is Diana Cameron.

17 AFFIRMED: DIANA CAMERON

18 EXAMINATION BY MS. LAWRENCE:

19 Q. Good morning,

20 Ms. Cameron.

21 A. Good morning.

22 Q. I'll start with asking
23 you some questions about your professional
24 background.

25 A. Uh-huh.

1 Q. Are you currently the
2 administrative assistant to the director of
3 engineering services?

4 A. That's correct.

5 Q. When did you start in
6 that role?

7 A. I started that role
8 probably 2013.

9 Q. Okay. Prior to this role
10 did you have another administrative role within
11 the City?

12 A. I did. I was in a
13 temporary position with traffic engineering and
14 operations with Herb Sullivan.

15 Q. Were you his
16 administrative assistant?

17 A. I was his administrative
18 assistant in a temporary role.

19 Q. And how long did you work
20 with Mr. Sullivan?

21 A. Probably just over a
22 year.

23 Q. Okay. And then from
24 there did you switch into working for the director
25 of engineering services?

1 A. That's correct. His
2 admin left to go work with another director and
3 she put my name forward to be the acting until
4 they recruited the full-time position.

5 Q. You said you think you
6 started in the role as admin assistant to the
7 director of engineering in 2013. Is it possible
8 it was a little earlier than that?

9 A. It's possible it's a
10 little bit earlier, yes.

11 Q. In that role under
12 Mr. Sullivan did you interact with members of the
13 public?

14 A. I did. I fielded calls
15 that were coming in, complaints about if people
16 were -- traffic calming, speeding, bike lanes;
17 just fielding calls, redirecting them correctly to
18 the proper person, yes.

19 Q. From those interactions
20 with members of the public were you aware of
21 complaints from members of the public about the
22 Red Hill Parkway?

23 A. Not at that time, no.

24 Q. Turning back to your
25 current role, when you first started working as

1 the administrative assistant to the director of
2 engineering services you were under Mr. Moore as
3 director; is that right?

4 A. That's correct.

5 Q. And when Mr. Moore
6 retired in 2018 you started working for
7 Mr. McGuire?

8 A. That's correct.

9 Q. And when Mr. McGuire
10 retired who did you provide administrative
11 services to?

12 A. Edward Soldo.

13 Q. Is that currently who you
14 are currently providing administrative services
15 to?

16 A. No, I'm providing
17 administrative services to Susan Jacob.

18 Q. Okay. She's currently
19 the director of engineering?

20 A. She is currently the
21 acting director of engineering services, yes.

22 Q. Thank you. And so when
23 you were providing administrative support to
24 Mr. Soldo was he also in an acting capacity?

25 A. Yes, he was.

1 Q. I'm going to turn now to
2 some questions about your time when you were
3 working for Mr. Moore.

4 A. Okay.

5 Q. Under Mr. Moore, what
6 were your day to day tasks?

7 A. Taking direction from
8 Mr. Moore if he needed some requisitions done,
9 followed up with staff if he needed some
10 information, followed up on behalf of the GMS
11 office, if there was inquiries -- not inquiries
12 but if they needed information. Set up meetings
13 when I was asked to.

14 Q. Did you attend meetings
15 with Mr. Moore?

16 A. The only meetings I
17 attended with Mr. Moore were the management
18 meetings, which was with the managers of
19 engineering services.

20 Q. Were those regularly
21 scheduled meetings?

22 A. Those were monthly
23 meetings, yes.

24 Q. And what was your role at
25 those meetings?

1 A. To do up the agenda, take
2 the minutes, and just provide administrative
3 support.

4 Q. Okay. And apart from
5 doing that role for that -- for those regularly
6 scheduled meetings, do you perform that role, the
7 agenda setter and circulator and minute taker, in
8 any other meeting with Mr. Moore?

9 A. No.

10 Q. Okay. What was your role
11 in the preparation of staff reports that were
12 going to go the council or to committees of
13 council?

14 A. So my role was when staff
15 decided that a report needed to go, whether they
16 needed to provide council information or committee
17 information, if they needed to ask for more money,
18 they would reach out to me. They would give me
19 the report name, what kind of report they were
20 doing. I would then put that in a spreadsheet and
21 send that to the administrative coordinator who
22 would update the clerk's file.

23 Q. And you say you put it in
24 a spreadsheet, you mean the fact of the report you
25 would put in a spreadsheet?

1 A. So what I put in the
2 spreadsheet was the date it was needed, the
3 committee date that they were going to based on
4 what I received from the staff of what date they
5 wanted to go, the name of the report, and if it
6 was an OBL item, an outstanding business list
7 item, they would advise me and I would advise the
8 administrative coordinator who then updated the
9 clerks.

10 Q. Okay. And in respect of
11 outstanding business list items, what was your
12 involvement in keeping track of those items that
13 people in engineering services were responsible
14 for?

15 A. Sorry, did you say
16 outstanding business list?

17 Q. Yeah.

18 A. Okay. We would get the
19 list from the administrative coordinator. I would
20 review it. If there was one that I knew was ours
21 I would just -- my role was just to give them a
22 heads up. If it needed a new date, if they were
23 still going to that date, and they would advise me
24 and I would then update the list for the
25 administrative coordinator.

1 Q. And did you keep track of
2 upcoming deadlines for responses on the
3 outstanding business list to be able to tell staff
4 who would be responsible if they had to get
5 working?

6 A. No, that was their
7 responsibility to make sure that they met the
8 deadlines.

9 Q. What was your
10 involvement, if any, in the capital budgeting
11 process?

12 A. I had pretty much no
13 involvement in that. That was more the director
14 and the managers and the business administrator.

15 Q. So not even on an
16 administrative side, there was no regular work you
17 had to do relating to the budgeting process?

18 A. Updating the
19 organizational chart, which pretty much was -- was
20 pretty much my role. If -- at that time, if Gary
21 or Gord needed numbers from -- for how many lanes
22 or how many miles or kilometers of road we did I
23 would follow up on their behalf with the staff to
24 provide me those numbers for these -- the
25 presentation.

1 Q. What was your role, if
2 anything, in maintaining an inventory of purchase
3 orders within the department of engineering
4 services?

5 A. I maintained purchase
6 orders that I did for the director of engineering
7 services. I did not maintain any catalogue or
8 listing of other purchase orders throughout
9 engineering services.

10 Q. Okay. And with respect
11 to those purchase orders that the director -- that
12 you did for the director, so now we're talking
13 just about your tenure under Mr. Moore.

14 A. Okay.

15 Q. So for those purchase
16 orders that he asked you to do, what in particular
17 did you do to maintain an inventory?

18 A. I didn't really maintain
19 an inventory. I knew what purchase orders were
20 there. It was an unlocked drawer that he had
21 access to if he needed to pull something out. But
22 just knowing that they were in order number based
23 on purchase order number I got from F&A.

24 Q. So were they loose in a
25 folder in a cabinet?

1 A. Yes, they were. They
2 were in file folders in order of PO number.

3 Q. What was your
4 involvement, if anything, with the roster program?

5 A. The only involvement I
6 had with the roster program was if Gary had a
7 requisition that he needed me to do for one of the
8 roster. That was my involvement in roster.

9 Q. Okay. And when you had
10 to do a requisition like that, was there any
11 documentation that you did to keep track of which
12 companies on the roster were awarded requisitions
13 or awarded projects?

14 A. No.

15 Q. Are you aware if some
16 kind of list like that existed?

17 A. I was aware that the
18 roster captains had to keep track of who they were
19 giving jobs to and they had to track that as part
20 of the roster policy.

21 Q. And Mr. Moore was a
22 roster captain?

23 A. That's correct.

24 Q. And did you assist him
25 with that duty that he had, to keep track of the

1 assignments on the category that he was the roster
2 captain for?

3 A. No.

4 Q. So we've gone through a
5 number of things just talking about day-to-day
6 tasks. Having gone through that in a little more
7 detail, can you think of any other sorts of things
8 that you did to assist Mr. Moore in the ordinary
9 course?

10 A. Not that I can think of
11 at the moment, no.

12 Q. While you were working
13 for Mr. Moore, did you have access to his e-mail
14 inbox?

15 A. Yes. I did.

16 Q. What did you understand
17 his expectations were about how you would interact
18 with his inbox, if at all?

19 A. I had no real interaction
20 with his inbox. He maintained his own inbox. He
21 answered his own e-mails. If he needed me to do
22 something he would forward it to me.

23 Q. So you had access but you
24 didn't spend time in his inbox?

25 A. No. And that was at his

1 direction.

2 Q. During your time under
3 Mr. Moore, did you have -- personally did you have
4 a process for saving electronic documents like
5 e-mails or Word documents that you received?

6 A. For myself I have PST
7 files for all e-mails going back to when I started
8 I used -- at that time I used the M drive, my
9 M drive to save the PST files. And previously
10 before that I used a City software called Archie.
11 As regular documents, I saved them on my M drive
12 by year and categorized by what they were, whether
13 it was correspondence, faxes, e-mails or meeting
14 minutes.

15 Q. Okay. And for the
16 (indiscernible) system on e-mails, using the PST
17 file and before that Archie, did you have some
18 sort of consistent practice or even an automatic
19 process to back up your e-mails?

20 A. It was just using the PST
21 files, saving the PST files on M drive by year,
22 and under each year it was by month.

23 Q. I understand, but were
24 you doing that saving to the PST file, were you
25 doing that every month at the end of the month,

1 were you doing that every year, or were you only
2 doing that --

3 A. I was doing that monthly.

4 Q. Did you personally use
5 the ProjectWise document management system when
6 you were working under Mr. Moore?

7 A. No, I did not.

8 Q. Apart from what you've
9 told me about filing the purchase orders, did you
10 have a filing system for other kinds of hardcopy
11 documents?

12 A. There was -- I had
13 another drawer that was locked, and that was the
14 correspondence that I did for Mr. Moore that was
15 any employee files, PADs, and any other
16 correspondence and just general information.

17 Q. When you say PADs, do you
18 mean like performance evaluations?

19 A. That's correct.

20 Q. Just on that point of the
21 employment-related matters that Mr. Moore did, how
22 were you involved with that aspect of his role as
23 director?

24 A. Just keeping the files
25 locked and confidential. I had no other

1 involvement.

2 Q. Turning us back to
3 Mr. Moore. We were talking about his inbox just a
4 moment ago. Did you know while you were working
5 for him what his personal file management system
6 was for e-mails?

7 A. No, I do not.

8 Q. Did you know at that time
9 whether he was using ProjectWise as a place to
10 save documents or e-mails?

11 A. No, I do not.

12 Q. Okay. I have a number
13 questions about the time that you worked under
14 Mr. Moore and we're going to go through those.
15 But before I turn there, we've just gone through
16 your day-to-day tasks under your time as
17 Mr. Moore's assistant. When you started working
18 with Mr. McGuire in 2018 did the scope of your day
19 to day tasks change in any way?

20 A. Gord had me more involved
21 in copying me in on e-mails, had me type up
22 documents for him. He would dictate letters to
23 me. It expanded a bit more. He heavily relied on
24 me more from a strictly administrative role.

25 Q. Okay. And did he ask you

1 to triage his inbox, go in and check his e-mails
2 and delete things that weren't relevant to him or
3 answer correspondence for him, those sorts of
4 things?

5 A. I didn't answer
6 correspondence for him unless he asked me to. I
7 would remove the junk e-mails. I would bring
8 things to his attention and via text I would bring
9 things to his attention. I would only keep an eye
10 on his inbox if he was in meetings. Other than
11 that, he kept an eye on his own inbox.

12 Q. I want to turn now to
13 2013. Mr. Registrar, could you bring up OD6
14 page 8, please.

15 So Ms. Cameron, you'll see in
16 paragraph 11 that the public works committee met
17 and passed the motion that is excerpted there.

18 Mr. Registrar, can you pull
19 out that motion for me, please.

20 Were you aware at that time in
21 2013 that the public works committee had passed a
22 motion in respect of a direction to investigate
23 upgrading lighting and investigate the reflective
24 signage and the lane markings and other
25 initiatives to assist motorists?

1 A. Only by way of e-mail,
2 and that would have probably come from the
3 administrative coordinator, to say this is what's
4 passed.

5 Q. Did you have a practice
6 of tuning into public works committee meetings?

7 A. I did when I could, yes.

8 Q. That wasn't part of your
9 responsibilities. Is that fair that say?

10 A. It wasn't part of my
11 responsibilities, but if I knew that something
12 was -- if we had a report going forward I would
13 like to listen to see if there was any additional
14 information that staff would have to report back
15 on and I would just give them a heads up on behalf
16 of the director.

17 Q. Okay. And is that
18 because there's sometimes a bit of a lag before
19 the minutes of meetings or the OBL list is
20 circulated?

21 A. That is correct. It's
22 also to listen in to see if there's a question
23 asked of the director of engineering services that
24 he would need staff to listen in and provide him
25 that information via e-mail -- or via text, sorry.

1 Q. Registrar, you can close
2 the call out and if you can go to the next page,
3 please, page 9, paragraph 13.

4 This is just after that motion
5 was considered by public works and Mr. Field
6 and -- Mr. Field e-mailed Mr. Gallo, copying
7 Mr. McGuire and Mr. Kirchknopf and he said it's
8 our opinion that the safety issue should be
9 reviewed holistically. And then at the bottom it
10 says "as you and I discussed, if traffic is going
11 to proceed with contracting a consultant, then
12 please include me in the conversation to assist in
13 defining the project scope."

14 Did you have any involvement
15 in the discussions about the scope of the project
16 that was going to come out of the motion that --

17 A. No, I did not.

18 Q. Registrar, can you close
19 the call out and go to the next page of this
20 document? If you can call out paragraph 17,
21 please.

22 So the following week you
23 advised Mr. Field, Mr. McGuire and Mr. Moore that
24 Mr. Mater and his group would be taking the lead
25 on the motion and would report back to the public

1 works committee in November. How did you find out
2 that Mr. Mater's group was going to take the lead
3 on the motion?

4 A. I believe that would have
5 been either through the administrative coordinator
6 or Mr. Mater's administrative assistant.

7 Q. Okay. What does taking
8 the lead on a motion mean to you?

9 A. They are responsible for
10 reporting back.

11 Q. What does that mean
12 exactly?

13 A. That would mean that
14 their staff would have to report -- they would
15 have to advise their AA2 of what date they needed
16 to go back, what the port (ph) name was, and they
17 in turn would advise the administrative
18 coordinator.

19 Q. Okay. But in terms of
20 reporting back, is that -- when you say report
21 back, is that like a formal process? Is there
22 going to be a staff report? Is what that you
23 understood --

24 A. That's my understanding,
25 yes.

1 Q. What does taking the lead
2 mean in terms of the responsibility for
3 outstanding business list items that arise from
4 any report? Maybe I'll put it this way. Is there
5 a relationship between taking the lead on this
6 motion and responsibility going forward to deal
7 with the public works committee on any issues that
8 are raised?

9 A. So my understanding is
10 taking the lead would be that the report writer
11 would gather all the information and submit it as
12 one report, having all parties involved agreeing
13 to the report, and then submitting it for
14 approval.

15 Q. That's helpful. In terms
16 of OBL items, did you understand that the same
17 lead would be then responsible for OBL items or
18 are OBL items something different that really
19 depend on their content?

20 A. It really depends on
21 their content.

22 Q. Mr. Registrar, you can
23 close this callout, please. If you could go to
24 page 15 of this document. Bring up 15 and 16,
25 please.

1 In April of 2013, the City
2 retained Dr. Uzarowski and Golder Associates to do
3 three projects. Before that formal retainer,
4 there's some back and forth between Dr. Uzarowski
5 and Mr. Moore about the proposals that he had for
6 doing three different projects. And you'll see at
7 the bottom of page 15, one was activating the
8 instrumentation on the RHVP. The second was
9 phase III of the pavement and materials technology
10 review, and the third is a pavement condition
11 evaluation for the Red Hill five years after
12 construction.

13 A. Okay.

14 Q. Just stopping on the
15 second one, phase III of the pavement and
16 materials technology review or the PMTR, were you
17 aware before 2013 that there had -- that Golder
18 had been engaged to do a pavement and materials
19 technology review?

20 A. My only involvement would
21 have been giving the information from Gary and
22 doing the requisition. That would have been my
23 only involvement is from an administrative
24 perspective.

25 Q. I understand. So I

1 understand what your involvement would be. I'm
2 really asking about your awareness now. Were you
3 aware before 2013 that there had been Phase 1 and
4 Phase 2 of this pavement and materials technology
5 review?

6 A. That's not something that
7 I would make myself aware of, no.

8 Q. Mr. Registrar, can you go
9 to page 17 and 18.

10 So, Ms. Cameron, there's a bit
11 of back and forth between Dr. Uzarowski and
12 Mr. Moore about the scope of the projects that
13 Golder has proposed, and you'll see on page 18 --
14 you're not copied on any of these e-mails -- at
15 page 18 at the top, Mr. Moore replied that the
16 proposal timelines are acceptable and please
17 proceed and he indicated that the purchase orders
18 would be issued for the project.

19 Mr. Registrar, I'm going to
20 ask if you can go into a different document now,
21 GOL4391, please.

22 So just going back and forth,
23 this is the underlying document that is summarized
24 in the OD. And you'll see at the top of this
25 document, this is the e-mail that I just read out,

1 we were just looking at, and you're copied on that
2 e-mail. Do you know why, given the way that you
3 worked with Mr. Moore, he would copy you on this
4 e-mail?

5 A. He would copy that to me
6 as an indication for me to do up the requisitions
7 based on the e-mail from Ludomir.

8 Q. Okay. Do you recall
9 preparing purchase orders -- pardon me,
10 requisitions for these three projects? I can take
11 you to them if you like.

12 A. I know I prepared them.
13 I don't exactly recall when I prepared them.

14 Q. I'll take you to one just
15 to show you. And I don't have any questions about
16 it but just to refresh your memory.

17 Mr. Registrar, can you go to
18 HAM23224 -- no, pardon me, 23225.

19 So this is the purchase order
20 that deals with the five year condition evaluation
21 with a contingency, and this is based on the back
22 and forth that Mr. Moore and Dr. Uzarowski had
23 about the scope and cost of that. So this is the
24 kind of purchase order that you would prepare?

25 A. This is the result of the

1 purchase order I would prepare. The purchase
2 order that I do gets submitted to F&A. They
3 submit it to finance, and then in turn they give
4 us the PO number. And this is what we use to --
5 this is what we keep on file with the actual
6 signed requisition.

7 Q. So you need to engage
8 with finance and administration to actually
9 finalize purchase orders that are leaving the City
10 for consultants?

11 A. That's correct.

12 Q. Would you send the
13 purchase order to the retained company or does
14 corporate finance do that?

15 A. Corporate finance does
16 that. And they do that because the recipient of
17 the purchase order does not see the contingency
18 line.

19 Q. So you said earlier that
20 you stored hardcopies of purchase orders in a
21 folder at your desk?

22 A. Yes.

23 Q. So did those come back --
24 this is what came back to you from finance and
25 this is what you saved in hard copy?

1 A. Correct. Along with the
2 signed requisition. And I kept a copy of any
3 invoices that came in to that purchase order that
4 were approved by Gary and then I submitted them to
5 finance to process payment.

6 Q. Okay. And when you filed
7 these, I think before you said they were in a
8 folder but --

9 A. File folder, sorry.

10 Q. That's all right. In a
11 file folder. Are they individual folders for each
12 project based on PO number or are they all
13 together in one folder?

14 A. No. So each
15 requisition -- so there be would have been a file
16 folder for 69812. There would have been a file
17 folder for each individual requisition that kept
18 all the information separate.

19 Q. Okay. And is that where
20 you put the invoices when you received them as
21 well?

22 A. A copy of the invoices,
23 yes, that has been approved and signed and
24 submitted to F&A and I would mark the date of when
25 I submitted it to F&A.

1 Q. And was it your
2 responsibility to reconcile the amounts on the
3 purchase order with the invoices that came in over
4 time?

5 A. No.

6 Q. Whose responsibility was
7 that?

8 A. Finance would advise us
9 if there was not enough money, so I would say
10 finance would reconcile that.

11 Q. Mr. Registrar, if you can
12 close this out and go back into OD6, page 52 and
13 53, please.

14 So starting on the bottom half
15 of page 52, there is some back and forth amongst
16 City staff about heavy rainfall in September
17 of 2013. You're not copied on these e-mails, but
18 you'll see at the bottom is the start of the
19 e-mail and at the top of 53 is the e-mail from a
20 staff in the roads department to other folks in
21 the roads department.

22 And the reference at the top
23 of 53 is the police call us saying the ramps and
24 the road are very slippery. There are quite a few
25 accidents. I told the officer it's a speed

1 problem and when it rains it's the pavement and if
2 we put sand down the sand gets washed away.

3 This gets eventually forwarded
4 to those in traffic and to Mr. Moore.

5 Mr. Registrar, can you go --
6 actually just stop there before we leave this.

7 Do you recall seeing these
8 comments from this e-mail at the time?

9 A. I would not have seen
10 that if I was not copied on it, no.

11 Q. Okay. If you can go
12 forward, Registrar, to page 59 and 60, please.
13 I'm sorry, I misspoke. 54 and 55, please.

14 So this gets forwarded up the
15 chain, and you'll see at paragraph 36 (sic)
16 Mr. Moore responded to some of the back and forth
17 and gave some information about SMA and about
18 whether to put sand down and about some recent
19 testing. You're also not copied on that e-mail.

20 Do you recall coming into
21 possession of this e-mail at any point, either by
22 going into Mr. Moore's e-mails or he forwarded it
23 to you or anything like that?

24 A. No, I did not see this.

25 Q. Recognizing you didn't

1 see it, did you have knowledge at that time in
2 2013 that the Red Hill had been paved with SMA?

3 A. I would not know that. I
4 would not have been involved in any of those
5 conversations.

6 Q. Did what --

7 A. Sorry, I would have no
8 context to know what that meant.

9 Q. So if you didn't know
10 that that acronym or the words stone mastic
11 asphalt or SMA, were you aware that the Red Hill
12 had a different kind of pavement than had been
13 used in other city roads?

14 A. No.

15 Q. Registrar, can you now go
16 to page 59 and 60, please.

17 So again, after some back and
18 forth Mr. Moore says he's going to get some
19 testing done. And then at paragraph 150 he
20 exchanged some e-mails with Dr. Uzarowski about
21 skid resistance testing and that's at the top of
22 page 60. Do you see that?

23 A. I do.

24 Q. Did you have any
25 knowledge at the time -- this is we're still in

1 September, late September 2013 -- that Mr. Moore
2 was considering doing friction testing?

3 A. No, I do not.

4 Q. Just for clarity, the
5 words that they are using at this point are skid
6 resistance testing. Is your answer still the
7 same?

8 A. I have -- I don't -- even
9 to this day I wouldn't know what that meant.

10 Q. Okay. Registrar, can you
11 go forward to page 77, please. If you can call
12 out 195 and 196, please.

13 November 13th Mr. Moore
14 approved a proposal from Golder for a friction
15 investigation and Mr. Moore directed Mr. Oddi and
16 Mr. White to assist with traffic control and
17 coordination. And pardon me, I skipped over he
18 also copied Mr. Shebib on that. And the friction
19 testing took place on November 20.

20 Registrar, can you go into
21 this underlying document. It's GOL6542. Can you
22 go down.

23 This is a bit of a back and
24 forth -- sorry, this one leads to the one we were
25 just looking at. You'll see there's back and

1 forth, and on the second page of this document
2 you'll see Mr. Moore again copies you on the
3 e-mail and says "Diana, please prepare a PO roster
4 assignment Cat 12." I think you told us about
5 your process to prepare a PO and you would have
6 done that in response to this direction from
7 Mr. Moore; is that right?

8 A. That is correct, yes.

9 Q. And then he's referencing
10 the rosters (skipped audio) 12.

11 A. Hm-hmm.

12 Q. Your evidence earlier
13 suggested you would not have actually been
14 responsible for doing anything to document the
15 fact that it was a roster assignment. Is that
16 also right?

17 A. That is correct.

18 Q. So if you go onto the
19 left-hand side at the bottom -- actually no, I'll
20 stay. In the right-hand side at the top, it says
21 "Marco, Rich, Martin - Golder is going to do
22 friction testing as below they will need traffic
23 control coordination." And so am I correct that
24 Mr. Shebib was in corridor management and had
25 responsibility for traffic control issues?

1 A. He did the permits. Yes,
2 he was in geomatics and corridor management.

3 Q. Do you know why Mr. White
4 was copied on this e-mail in respect of traffic
5 control coordination?

6 A. He was the manager of an
7 operations. He was road operations. Other
8 than that I don't know why he was involved.
9 That's not something I would be aware of why.

10 Q. And Mr. Oddi, what's your
11 understanding of Mr. Oddi's relationship to the
12 Red Hill, if any?

13 A. I know Mr. Oddi was part
14 of the initial project and he was the manager of
15 construction. Here he was the senior PM of
16 construction. Why he was involved, I do not know.

17 Q. Registrar, you can close
18 this document down and you can call out OD6
19 page 12, please.

20 So in February of 2013, and
21 this is going back to that e-mail with Mr. Field
22 and Mr. Gallo about a holistic assessment and
23 retaining a consultant, the City did -- via
24 traffic, did retain CIMA to conduct a traffic
25 safety assessment on a portion of the Red Hill.

1 Were you at all involved in that project? You'll
2 see here at paragraph 21 it's by February there's
3 discussions about setting up a meeting with CIMA
4 and that continues for some time. And so sorry, I
5 jumped right over my question. Were you at all
6 involved in the project that CIMA did in response
7 to Councillor Collins' motion about the Red Hill?

8 A. No. My only involvement
9 would have been doing a requisition, if it was
10 required, but that would be my involvement.

11 Q. Okay. And given that it
12 fell under the traffic as lead, would you have
13 been responsible for preparing a requisition?

14 A. No.

15 Q. Were you aware that
16 traffic was going to present a report back to
17 public works in November of 2013, in response to
18 the motion?

19 A. No, because that would
20 have been -- it would not have -- I would not have
21 been following up to see what deadlines as an
22 administrative role.

23 Q. In 2013, to your
24 knowledge, were there any policies in place that
25 required City staff in different divisions of

1 public works to advise each other if they were
2 retaining consultants?

3 A. Not to my knowledge, no.

4 I'm not aware of any policies like that, no.

5 Q. Registrar, can you go to
6 page 79 of OD6, please. Bring up 80 as well
7 please.

8 You're not copied on this
9 e-mail. I'm just going to provide it to you for
10 some context before I ask my next question.

11 Registrar, can you call out
12 the -- all of 203 at the bottom and 204 as well,
13 the top of 203 and 204, yeah, exactly. Thank you.

14 So this is following the
15 public works committee meeting in November 2013
16 and it's actually in response to the outstanding
17 business list that gets circulated, which includes
18 a report back to the public works committee in
19 respect of lighting. And I can take you to that.
20 You're copied on that part of the e-mail.

21 And Mr. Moore forwards that
22 follow-up to Mr. Lupton, Mr. White and Mr. Mater
23 and he says, and you can read it:

24 "What part of the road -- what
25 part of 1) the road was

1 approved environmentally not
2 only without lighting, but
3 specifically not to have it;
4 2) the road geometrics were
5 done with no lighting
6 required. There are
7 constraints that preclude the
8 erection of lighting on
9 several program ramps, and is
10 not recommended in any way
11 shape or form to erect
12 lighting on a partial basis.
13 We can't afford it. What part
14 of those things did the
15 committee not get?" (As read)
16 Had you ever had any
17 discussions with Mr. Moore about his views on the
18 adequacy of lighting on the Red Hill?

19 A. No, I did not.

20 Q. Did you have any
21 understanding, apart from discussions with
22 Mr. Moore, if he had views about the adequacy of
23 the lighting on the Red Hill?

24 A. No, I did not.

25 Q. Registrar, can you close

1 these down and could you go to page 79,
2 paragraph 200 and 201. Just pull those out. Just
3 to close the loop on this.

4 So this is the back and forth
5 that leads to that exchange that we were just
6 looking at. So City council approved the public
7 works committee report as presented, and then the
8 office of the City clerk sent a follow-up to
9 Mr. Davis. And that eventually makes its way via
10 admin assistants to you, and one of the items is
11 staff were directed to report back respecting the
12 lighting aspects of the outstanding business list
13 C, respecting the Red Hill Valley Parkway
14 improvements.

15 And so where there's a
16 direction like this, how do you assess whether
17 this is something that is the responsibility of
18 engineering services? When you are looking at the
19 OBL items how do you know what's within
20 engineering services and what is not?

21 A. I don't assess that. I
22 bring that to the director and they decide.

23 Q. How do you know whether
24 to bring it to the director or not?

25 A. I bring every OBL to the

1 director for them to review.

2 Q. We'll just go into it so
3 I can ask my question.

4 Registrar, can you go to
5 HAM4334, please.

6 So you'll see that Ms. Clark
7 sends the council follow-up, it looks to staff and
8 you're copied and I think there are other --

9 A. It's all the directors
10 and administrative resitants.

11 Q. So it says:
12 "Good morning. For your
13 review and follow-up action is
14 required."

15 And then you send to Mr. Field
16 and Mr. Lock, copying Mr. McGuire and Mr. Moore
17 and you've cut and paste the issue around
18 lighting. And so I guess a better question than
19 the one I asked before is, how did it come to be
20 that you are sending out this excerpt to this
21 group of recipients.

22 A. Because Mike Field was
23 the senior PM of lighting.

24 Q. So you're doing that on
25 your own initiative, or is that on the director--

1 A. I don't do that on my own
2 initiative, no.

3 Q. Okay. And so on whose
4 initiative would you have given a specific
5 follow-up to somebody within engineering services?

6 A. The director.

7 Q. Registrar, you can close
8 that down and you can go back to OD6.

9 You spoke a little bit about
10 this, Ms. Cameron, but just so I can understand
11 the process.

12 Registrar, can you go to page
13 106, please. If you can pull out 284.

14 So we have jumped ahead a
15 little bit in time. We were just looking at
16 November 2013. Now we're at March 2014. And
17 Ms. Clark circulated a copy of the outstanding
18 business list and item N is the Red Hill Parkway
19 improvements lighting and it lists engineering
20 services as the lead division. So just stopping
21 there.

22 Do you know how a particular
23 division gets listed as the lead division? Is
24 that Ms. Clark or is that somebody else who makes
25 that assessment?

1 A. I know from experience
2 that sometimes when we get the OBL it will be in
3 red and they'll have a question mark, question
4 mark, is this you? But other than that, the
5 assignment to the division would be based on
6 conversation with the director.

7 Q. I presume most times it's
8 actually fairly obvious which division it should
9 be going to?

10 A. Sometimes it is fairly
11 obvious but I don't make that assumption. I get
12 the clearance from the director to say that that
13 is correct.

14 Q. Okay. And the status
15 column says, "staff to monitor changes to signage
16 in the area and report back with respect to
17 lighting," and there's a due date listed as Q2,
18 2015.

19 So can you just explain for
20 me, sort of more generally, how the department
21 assess when the due date is going to be for
22 particular reports and how they actually roll out
23 the calendar so that all of the outstanding
24 business list items are being dealt at appropriate
25 meetings? Can you give me any insight into that?

1 A. I just look for the
2 date -- I just ask for the date. It's up to them
3 to ascertain when they can have that report back.

4 Q. Okay. And in your
5 experience, is there a little bit of flexibility
6 about when within Q2, for example, something is
7 going to be heard? Is that a particular date and
8 is that more in the discretion of the division?

9 A. That's at the discretion
10 of the report writer.

11 Q. Registrar, can you close
12 this down and go to page 114, please. If you can
13 pull out 314, please.

14 I'm just tracking this a
15 little bit more in time. So by three months later
16 we're in June and Ms. Clark sent Ms. Leduc, the
17 legislative coordinator, an updated outstanding
18 business list, and that same OBL item, the program
19 improvements lighting, is now scheduled for
20 June 15th, 2015. I think what I understood from
21 your answer before was that the report writer has
22 decided that's the date roughly within Q2 of --

23 A. Correct.

24 Q. -- 2015 to come back.
25 Okay.

1 You can close that down,
2 Registrar. Thank you. Could you go to page 87,
3 please. And if you can pull out 230.

4 So this is an e-mail from
5 January of 2014 and it is from Dr. Uzarowski to
6 Mr. Taylor at Tradewind. You are not copied on
7 this e-mail, but you'll see that Dr. Uzarowski
8 says:

9 "I received a message from my
10 client this morning. He needs
11 the friction test results this
12 morning. He has a meeting
13 with the management to discuss
14 the pavement issue."

15 So recognizing it was a long
16 time ago now, do you recall any meeting in
17 January 2014 involving Mr. Moore and management to
18 discuss the pavement issue?

19 A. No, I do not. I do not
20 recall any meeting.

21 Q. Registrar, can you close
22 this down.

23 And I think -- I didn't ask
24 earlier, Ms. Cameron. We talked about your access
25 to Mr. Moore's inbox. What was your role under

1 Mr. Moore about his calendar? Did you have access
2 to his calendar?

3 A. I had access to his
4 calendar, yes.

5 Q. Did you have a more
6 active role than with his e-mails in managing his
7 calendar?

8 A. He accepted his own
9 meetings. My view of his calendar was if he was
10 trying to find out where he needed to go, I would
11 look at his calendar and tell him where he needed
12 to be.

13 Q. And if he asked you to
14 send out an appointment for something you would do
15 that?

16 A. Yes. On his direction,
17 yes.

18 Q. Registrar, can you go to
19 the next page 88, please. Actually can you bring
20 up 88 and 89, please. Thank you.

21 So looking at paragraph 233,
22 the bottom of 88, Dr. Uzarowski on January 24
23 e-mailed Mr. Moore under subject line "friction
24 numbers on the Red Hill" and that e-mail included
25 the body that is below. There's some text and

1 then there's a chart. And also included three
2 attachments; two spreadsheets with friction data
3 from the MTO in 2007 and a paper offered by a
4 joint MTO industry task force.

5 Did you see a copy of this
6 e-mail at the time that it was sent?

7 A. No.

8 Q. Did you see it any time
9 before 2018?

10 A. No.

11 Q. Registrar, can you bring
12 up 89 and 90 now, please. On the same day
13 Mr. Moore e-mailed Thomas Dziedziejko, who works
14 at Aecon. Do you know Mr. Dziedziejko?

15 A. No, I do not.

16 Q. You'll see he e-mails
17 some -- he said some pictures of the Red Hill,
18 then there's a summary that is -- looks quite
19 similar to the e-mail we were just looking at.
20 Did you see a copy of this e-mail when it was
21 sent?

22 A. No.

23 Q. Did you see it any time
24 before 2018?

25 A. No.

1 Q. Registrar, can you go to
2 page 96 of OD6, please. Can you bring up 97 as
3 well too. Thank you.

4 So on January 31, 2014, so
5 this is the following week from the e-mails we
6 were just looking at, Dr. Uzarowski e-mailed Moore
7 an updated draft to report on conditions on the
8 pavement six years after construction. And that
9 electronic document had a draft watermark on it
10 and it had a number of appendices attached. Did
11 you see a copy of this e-mail from Dr. Uzarowski
12 in January or in February of 2014, around when it
13 was sent?

14 A. No, I would not have
15 looked for it, no.

16 Q. Thinking back to your
17 understanding of Mr. Moore's electronic document
18 filing practices, do you have any insight into
19 where he may have filed this e-mail?

20 A. No, I do not.

21 Q. You just didn't have
22 enough insight into how he managed his own filing
23 system?

24 A. That's correct, I had no
25 insight into that.

1 Q. Did he ask you to print
2 out a hard copy of the attached draft report at
3 the time, in January or February of 2014?

4 A. Not that I recall but
5 it's possible.

6 Q. Okay. Dr. Uzarowski's
7 evidence is that he brought a hard copy of this
8 draft report to Mr. Moore on February 7th when he
9 met with him in the office. Do you recall seeing
10 a bound hard copy of the Golder report in
11 Mr. Moore's office in 2014?

12 A. No, but it's not
13 something that I would really look for.

14 Q. Did Mr. Moore give you
15 any assignments or direction after he met with
16 Mr. Ludomir -- Dr. Uzarowski -- Ludomir Uzarowski
17 on February 7th?

18 A. I'm sorry, can you say
19 that again.

20 Q. I sure can. I'll try to
21 do a little better this time.

22 Did Mr. Moore give you any
23 assignment or direction after he met with
24 Dr. Uzarowski on February 7th?

25 A. Not that -- no, not that

1 I recall, sorry.

2 Q. Registrar, can you go to
3 page 86, please.

4 You'll see at the top we're in
5 January of 2014. And at paragraph 226 there's
6 some back and forth, and this is an e-mail you're
7 not copied on, but Mr. White forwarded Mr. Moore's
8 message about the OBL, the lighting item, to
9 Mr. Ferguson and to Mr. Jacobson. And he said
10 FYI, and at the end he says -- or the third line
11 he says what are we doing -- actually Registrar,
12 could you call out 226, please. Thank you.

13 "What are we doing with the
14 roads request to sign slippery
15 when wet signs everywhere? I
16 forgot about that one. We
17 need the asphalt skid tests to
18 see what they determine also.

19 Let's talk." (As read)

20 So this is from Mr. White.

21 Registrar, you can close that down.

22 Did anyone in 2014 -- any
23 point in that year, ask you about friction tests
24 or friction test results?

25 A. Not that I recall.

1 Q. Okay. Was it common for
2 people who were in the office and they might pop
3 by your desk and ask if Mr. Moore was around, and
4 if he wasn't around they might ask you to try to
5 provide them with information? Is that the
6 culture of engineering services?

7 A. No.

8 Q. Sitting here today, would
9 it be an unusual thing for someone outside of
10 engineering services, from traffic, to make an
11 information request to you specifically?

12 A. No.

13 Q. That wouldn't be unusual?

14 A. Oh, sorry. Requests
15 would not come directly to me.

16 Q. Okay. So you said
17 earlier you don't recall anyone coming to you
18 specifically about friction tests or friction test
19 results, and if someone from traffic came to you
20 and made such a request, would that be an unusual
21 interaction with traffic services?

22 A. The staff would not come
23 to me directly for that information. They would
24 go to the source, which would have been Gary.

25 Q. Okay. You said that you

1 don't recall that. Do you have confidence that
2 that did not happen, that nobody came to you? Or
3 you just can't recall?

4 A. The only thing I can
5 recall is Councillor Conley's admin when Gary was
6 away asking for the friction testing. That's the
7 only time I recall.

8 Q. That's the only time you
9 recall from 2014 to -- while Mr. Moore was the
10 director?

11 A. That's the only time I
12 recall, that's correct.

13 Q. Registrar, can you close
14 this -- actually, you can stay in this document
15 and go to page 101, please. Could you also bring
16 up 102.

17 So Ms. Cameron, if you look at
18 263, Golder sent an invoice in January, in respect
19 of the compilation and analysis of friction data
20 and the City received that invoice on February 14,
21 2014. Do you see that in 263?

22 A. Hm-hmm.

23 Q. And then turning to the
24 right-hand side of the screen, at paragraph 266,
25 the City received another invoice and it says

1 "payable." And you'll see it was approved -- the
2 second invoice was approved by Mr. McGuire with a
3 notation that he was acting director on
4 February 26, 2014. So just on that point, is it
5 unusual for an acting director to approve
6 invoices?

7 A. No.

8 Q. I'm just trying to
9 understand why -- whether it was the kind of thing
10 that you would wait to get Mr. Moore's approval,
11 given that it was his project?

12 A. It was his project but if
13 he's gone for a long period of time, we don't let
14 invoices sit around waiting to be paid.

15 Q. Okay. When you say he
16 was gone for a long period if time --

17 A. I said if he was gone.

18 Q. If he was gone. Yeah.
19 And just maybe on that point, Mr. Moore never took
20 an extended leave of absence or anything like
21 that? Like at most he would be gone on vacation?

22 A. That's correct.

23 Q. Registrar, can you go to
24 page 106, please. These are more invoices back
25 and forth. You'll see 281 to 283, and again, I

1 don't have particular questions about this but
2 just so that I understand your process, you're
3 getting these invoices in, making a copy of them,
4 and then you send them off to finance; is that
5 right?

6 A. So I get them in. I get
7 Gary to review them. He signs off on it to make
8 sure that it's correct. And then I take a copy of
9 it after he signs it, I date stamp it, and I give
10 it to F&A to process payment.

11 Q. Okay. Registrar, can you
12 go to the next page, 107, please.

13 So I'm not going to go into
14 the underlying document unless you need me to,
15 Ms. Cameron, but in March of 2014, Mr. Moore and
16 Mr. McCafferty had a back and forth about future
17 assignments for the roster, and there's a number
18 attachments that have the lists of the various
19 categories with the consultants listed and some of
20 their -- the information -- or pardon me, the
21 projects that they are working on.

22 So the OD excerpts the section
23 for Golder for Category 12 and I think you said
24 earlier that you were not responsible for keeping
25 the list of projects on the roster; is that right?

1 A. That is correct.

2 Q. So you would not have
3 been responsible or involved in updating this or
4 ensuring that it was correct?

5 A. That's correct.

6 Q. Registrar, could you go
7 to page 109, please. And if you could pull out
8 the last paragraph, 297.

9 So you have some back and
10 forth about an invoice with Golder, asking for
11 confirmation about the applicable purchase order.
12 And you replied about the possible closure of the
13 purchase order 69812, which is listed as the five
14 year condition evaluation and contingency. That
15 was the one we looked at earlier. You wrote that
16 you spoke to Gary and he does not want you to
17 close that purchase order.

18 What do you recall, if
19 anything, about the discussions with Mr. Moore
20 about whether or not to close that purchase order?

21 A. It would have been just
22 been me asking him if he wanted the PO closed. He
23 would not have given me any detail as to why it
24 wasn't to be closed, but that was just my message
25 back to F&A, not to close it.

1 Q. And just given where
2 we've gone, just in 2014 at this point, you said
3 he would given you any detail. Is that a fair
4 representation of how Mr. Moore kept you in the
5 loop or didn't keep you in the loop, in respect of
6 the substance of the projects he was working on?

7 A. I was his admin, so I
8 didn't have the knowledge or the intel to
9 understand the projects. That wasn't my role.

10 Q. I understand that part.
11 When you say that is -- is that what you
12 understood Mr. Moore's opinion to be? That he
13 wasn't going to involve you because you were his
14 admin assistant and didn't have the sort of
15 expertise to understand the projects?

16 A. I think that Mr. Moore
17 advised me what I needed to know and that was it.

18 Q. Is it fair to say that he
19 kept what he advised you about actually relatively
20 limited?

21 A. I'm sorry, say that
22 again.

23 Q. Is it fair to say that
24 when you say he kept you advised, what he advised
25 you about was actually fairly limited?

1 A. I didn't have a need to
2 know the details of a project.

3 Q. Okay. Registrar, could
4 you close the callout and go to page 142, please.
5 Just before we turn off that -- the last question
6 and answer that we just had, you said earlier that
7 you that found Mr. McGuire relied on you more
8 heavily for admin support. Did he also provide
9 you with more context for the work that he was
10 doing, so that you could provide that support than
11 Mr. Moore had?

12 A. I think Gord just relied
13 a lot more heavily on me of being involved and
14 thinking that there were things that I needed to
15 know in more detail but not necessarily needed
16 to --

17 Q. I'm sorry, I think you
18 trailed off. I heard you say I think Gord relied
19 a lot more heavily on me being involved and
20 thinking there were things I needed to know in
21 more detail, but not necessarily needed to. I
22 don't quite understand the last part of what you
23 said.

24 A. Gord was more open with
25 discussing things with me, that just thinking that

1 I needed to be more involved or have more
2 knowledge.

3 Q. Okay. We're now in 2015
4 and just to give you some context, traffic
5 operations and engineering is working on their
6 report to the public works committee about the
7 countermeasures that they had been doing as a
8 result of the 2013 CIMA report. So putting that
9 cats eyes and lane markings and signage, that sort
10 of stuff.

11 And in the back and forth that
12 you have with Ms. Clark, you'll see that Gary
13 asks -- asked Mr. Ferguson and Mr. Lupton that
14 item B be moved to a committee date that he can
15 attend. And Ms. Clark says is the Red Hill report
16 joint between the two divisions. And you say no,
17 it's not a joint report, it was just sent to Mike
18 and Gary for comment only.

19 And then Ms. Clark says:
20 "Well, this is only my 10
21 cents, but if it's not joint,
22 who cares if Gary is there or
23 not. Gary wouldn't move one
24 of his reports for someone.
25 He would say, and I quote,

1 boohoo (hee, hee, hee, just
2 saying)." (As read)
3 And you say:
4 "I hear you and don't disagree
5 with your statement. He wants
6 to be there because of his
7 involvement with the Red Hill
8 and I believe he was
9 questioned when the initial
10 report was submitted."

11 So just stopping at that last
12 point that you made. I believe he was questioned
13 when the initial report was submitted. So this is
14 2015 but it is in respect of the countermeasures
15 done since 2013. Can you recall what you were
16 referring to here, your belief that he was
17 questioned when the initial report was submitted?

18 A. When it came to the Red
19 Hill and Gary was at committee, because he worked
20 on it and he had such a vast knowledge of it, is
21 that a lot of questions would be referred to him
22 at committee to answer.

23 Q. And you say he wants to
24 be there because of his involvement with the Red
25 Hill. Was that something that you saw with

1 Mr. Moore? That he wanted to be involved with
2 issues that dealt with the Red Hill?

3 A. That was at the direction
4 of Mr. Moore to get the report moved. That's not
5 something that I would do on my own accord.

6 Q. I understand. My
7 question was, is that something that you saw in
8 interactions with Mr. Moore, that he liked to be
9 involved in issues that dealt with Red Hill?

10 A. I don't know if he wanted
11 to, but he was usually the one that would be asked
12 to answer questions.

13 Q. Okay. And did you
14 understand or did you have a perception that
15 Mr. Moore continued to view the Red Hill as his
16 project, even though construction was done?

17 A. I don't know if he viewed
18 it as his project even after it was done, but I
19 know he had a pride in working on that project.

20 Q. Okay. The Red Hill is
21 his baby, in other words?

22 A. I do recall that's what I
23 had said and that's just my interpretation of how
24 I thought he felt about it.

25 Q. We've gone through a

1 number of these purchase orders with Golder. Do
2 you recall Mr. Moore being the point person with
3 any other consultant, when he was director of
4 engineering?

5 A. I believe that I did
6 other requisitions for Mr. Moore to other
7 companies other than Golder.

8 Q. Did that happen
9 frequently or was that more of a rarity, in terms
10 of everything on Mr. Moore's plate?

11 A. Off the top of my head, I
12 do not recall how many others or how frequently
13 outside of Golder I was requested to do a
14 requisition.

15 Q. In terms of the
16 proportion of projects that -- where you were
17 asked to do a requisition for a consultant, was
18 Golder the primary consultant that Mr. Moore dealt
19 with directly?

20 A. No, I don't believe so,
21 unless it had to do with the roster. Golder was
22 on the roster. And if it was to a specific need
23 that Mr. Moore needed he would involve Ludomir and
24 Golder Associates. But if it was outside their
25 realm of expertise, he would go to somebody else,

1 I would think.

2 Q. So that makes sense. You
3 want to stick within your area of expertise. My
4 question was more, given your recollection, was
5 Mr. Moore involved in projects in which he was
6 directly retaining other consultants for other
7 projects? Is that something you recall him doing?

8 A. I don't have the intel of
9 all the projects that he was working on, no.

10 Q. So you just can't say one
11 way or another?

12 A. That's correct.

13 Q. That was my question
14 before and I think you said --

15 A. No.

16 Q. My question now is did it
17 appear from your perspective that Golder was the
18 consultant that he dealt with more of the time
19 than other consultants? Was this the primary
20 consultant that he was dealing with?

21 A. No.

22 Q. No, there was someone
23 else that you have in your mind that he was
24 dealing with -- that he gave more projects to
25 directly than Golder?

1 A. I didn't see the roster
2 thing, so I can't really say.

3 Q. But based on your
4 preparation of POs?

5 A. Off the top of my head, I
6 can't remember every consultant that he used.

7 MS. LAWRENCE: Commissioner,
8 I'm about to move to a different topic. And
9 there's been a suggestion amongst participants
10 that we shorten our first block before we take our
11 first break and we've been going since 9:45. So
12 I'm in your hands, of course, but I think it might
13 be an appropriate time to take a 15-minute break.

14 JUSTICE WILTON-SIEGEL: Okay.
15 I think I share the view of the other participants
16 with respect to the timing, so on a going forward
17 basis let's target for 11:00 o'clock as the time
18 for our first break and today let's stand
19 adjourned now until 11:20.

20 MS. LAWRENCE: Thank you.

21 --- Recess taken at 11:06 a.m.

22 --- Upon resuming at 11:20 a.m.

23 MS. LAWRENCE: Thank you.

24 We're back. Mr. Commissioner, can I proceed?

25 JUSTICE WILTON-SIEGEL: Yes,

1 please do so.

2 BY MS. LAWRENCE:

3 Q. Thank you. Ms. Cameron,
4 in May of 2015 there was a fatal crossover
5 collision on the Red Hill involving two young
6 women. Do you remember that collision?

7 A. I do recall it being in
8 the news, yes.

9 Q. It prompted Councillor
10 Conley to request that a safety study be conducted
11 on the Red Hill with particular attention to
12 median barriers. Do you remember being aware of
13 that motion from Councillor Conley?

14 A. I do recall watching that
15 committee meeting where it was brought up, yes.

16 Q. Registrar, can you go to
17 OD7 page 10, please.

18 Just to remind you,
19 Ms. Cameron, this is -- on paragraph 29, this is
20 the motion that Councillor Conley submitted for
21 the agenda, and traffic staff helped with that.

22 Going forward from this
23 motion, you'll see in the last part of the motion,
24 it says:

25 "...staff be directed to

1 investigate additional safety
2 matters on the Red Hill and
3 the LINC, including additional
4 guard rails, lighting, lane
5 markings or other means to
6 help prevent further
7 fatalities and serious
8 injuries and to report to the
9 public works committee with
10 recommendations by December 7,
11 2015." (As read)

12 So you said you watched that
13 public works committee meeting and I think you
14 said earlier that you would watch, in part, to
15 alert staff if there was anything that needed to
16 be addressed in the meeting?

17 A. That's correct.

18 Q. I suggested to you also
19 to give staff a heads up about things that might
20 be coming out of the meeting before the clerks
21 actually circulated the minutes and the OBL list?

22 A. Correct.

23 Q. So here when you're
24 looking at this and hearing this motion, did you
25 expect that engineering services might be involved

1 in the report that was going to have to go back to
2 public works committee on December 7th?

3 A. I feel -- I believe so,
4 due to the lighting aspect.

5 Q. Okay. Your evidence
6 earlier was that you don't remember anyone
7 reaching out to you about friction test results
8 from 2014 to 2018, except for Councillor Conley,
9 and we'll come to that.

10 Do you recall becoming aware
11 if anyone from traffic services had reached out to
12 anybody from engineering services asking for a
13 friction testing results after this motion was
14 passed?

15 A. I would not be aware of
16 what other people are getting asked, no.

17 Q. I understand, but
18 sometimes someone might come by and say someone
19 asked me this, do you have any information, or you
20 might have overheard something in the hallway
21 so --

22 A. I don't recall anybody
23 coming to me or overhearing anything in a hallway,
24 no, sorry.

25 Q. That's okay. CIMA was

1 retained to prepare a safety report for use by
2 staff to provide an update to public works. Did
3 you have any involvement in the project that CIMA
4 was doing in 2015?

5 A. No. My only involvement
6 is if it was ours, is I would do a requisition,
7 but that would be the extent of my involvement.

8 Q. And this one you didn't
9 have any involvement?

10 A. No.

11 Q. Mr. Moore attended a
12 meeting with CIMA on October 20th. Registrar, if
13 you can bring up page 46 and 47 of OD7, please.
14 So you see at the bottom of 46, there's a
15 reference to the attendees at this meeting and
16 then there's a meeting summary that's prepared
17 which is on the next page.

18 Did Mr. Moore ask you to
19 assist with his preparation for this meeting?

20 A. No.

21 Q. In November of 2015,
22 Mr. Moore made some edits to a document that he
23 received from traffic and during operations.
24 Registrar, can you go to HAM690, the native
25 version, please. Sure, HAM690. Thank you. If

1 you could go to image 7, please. This always
2 happens when I go to the native.

3 Can you go ahead two pages
4 to -- it's page 1 of the document. I think it's
5 page 9, image 9. Go up one page. There we go.
6 Thank you.

7 Ms. Cameron, this is a draft
8 report and it's entitled "Red Hill Valley Parkway
9 Detailed Safety Analysis," and it is -- was
10 prepared by CIMA. This version of the document
11 has strike-throughs and comments within the
12 document that Mr. Moore made. His name -- you'll
13 see the Registrar has gone to one of the sticky
14 notes, and you'll see says J. Moore on October 29.
15 Did Mr. Moore ask for your assistance in preparing
16 these edits and sticky notes?

17 A. No.

18 Q. Do you recall ever seeing
19 any version of the CIMA 2015 detailed safety
20 analysis? We can scroll through if it would be
21 helpful to refresh your memory.

22 A. I believe the only time I
23 looked at these documents was when the inquiry
24 happened.

25 Q. Registrar, you can close

1 this down. Go back into OD7, please, page 73.
2 And if you can bring up 74 as well, please. So
3 the public works committee meeting on December 7th
4 included a staff report that summarized the CIMA
5 report that we were just looking at and also a
6 report that CIMA had prepared about the LINC. Did
7 you watch the public works committee meeting on
8 December 7th?

9 A. I can't say for 100
10 percent, but I usually try to make a point, unless
11 I had something else that I had to commit to.

12 Q. So we have a video
13 recording of that meeting, and Mr. Moore is there,
14 among other staff, and Mr. Ferguson presented
15 those two reports and the staff report. And
16 Councillor Merulla specifically asked Mr. Moore
17 some questions, which are set out on page 74. He
18 asked about -- to elaborate on the quality of the
19 asphalt used, and he informed the committee you'll
20 see in paragraph 234, that the MTO had performed
21 initial friction testing and received results at
22 or above what MTO typically expected from hybrid
23 friction mixes, and he informed the committee that
24 they had performed subsequent testing five years
25 after in approximately 2012 or 2013, finding that

1 the road was holding up exceptionally well.

2 Does that refresh your memory
3 about whether you watched this committee meeting?

4 A. I'm sorry, no, it does
5 not.

6 Q. In 2015, were you aware
7 that the MTO had conducted friction testing on the
8 Red Hill at some earlier period of time?

9 A. No, I was not aware.

10 Q. And no one came to you
11 after this meeting and asked you about friction
12 test results?

13 A. Not that I recall, I'm
14 sorry.

15 Q. Registrar, could you go
16 to page 81 of this document. And if you could
17 bring up 82 as well, please.

18 On December 17, so that's
19 about ten days after the public works meeting that
20 we were just looking at, Mr. Moore e-mailed
21 Dr. Uzarowski -- in fact, why don't we go into
22 that document. Registrar, it is GOL7409. I'm
23 sorry, I was looking at the wrong document. I'm
24 sorry, Registrar, can you go back to OD81. OD7,
25 page 81. Thank you. And can you go to Golder

1 2681.

2 So Mr. Moore e-mailed
3 Dr. Uzarowski this document, and it has a chart.
4 We looked at earlier e-mails before in 2014 that
5 have a similar chart. And this all happens after
6 discussions between Dr. Uzarowski and Mr. Moore.
7 Were you aware of this e-mail when Mr. Moore sent
8 it at the time, in December 2015?

9 A. No, I was not.

10 Q. Did Mr. Moore ask you to
11 assist him in any way to look at documents or
12 print documents that have to do with the Red Hill
13 in December of 2015?

14 A. Not that I specifically
15 recall, no, I'm sorry.

16 Q. Registrar, you can close
17 this and go back into OD7, page 82, please. Very
18 top of this page, on the same day, Dr. Uzarowski
19 responded to Mr. Moore by e-mail attaching the
20 Tradewind Report, and he says:

21 "Please find attached the
22 November 2013 report from
23 Tradewind Scientific. I will
24 look at some standards or
25 anticipated values and call

1 Registrar, could you call that out, just because
2 it's a little small, the font. The top half of
3 page 78, please. Thank you.

4 The LBCC suggested that
5 friction testing should be a short-term measure,
6 and they have some reasons why, and they reference
7 the cost that's in the report of \$40,000. You're
8 not copied on this e-mail. You can close this
9 down, Registrar. And if you can go to 111, page
10 111.

11 You'll see the top of the page
12 at 350 Mr. Ferguson e-mailed the LBCC and said in
13 the second paragraph:

14 "...with the support from
15 public works committee, I'm
16 pleased to inform this testing
17 will be completed by
18 engineering services in 2016."

19 (As read)

20 And then Mr. Moore responds to
21 that e-mail, which is copied, and says "Perfect."

22 Were you aware in 2016 of any
23 friction testing completed by engineering
24 services?

25 A. No.

1 Q. I think you said a number
2 of times if you were aware in (sic) a project, it
3 would be to prepare a purchase order; is that
4 right?

5 A. That's correct.

6 Q. Did Mr. Moore, in 2016,
7 ask you to prepare any purchase order in respect
8 of friction testing or skid resistance testing?

9 A. I don't recall exactly
10 when, but he may have.

11 Q. We don't have any
12 evidence that he's asked you for that or I would
13 take you to it.

14 A. Okay.

15 Q. Given your document --

16 A. Off the top of my head, I
17 do not recall specifically dates of when
18 requisitions were requested.

19 Q. And you wouldn't have
20 been paying too much attention to the content of
21 the requisition, that is, what the project was
22 about?

23 A. That's correct.

24 Q. Registrar, can you go to
25 the next page over, 112. If you can call out 356,

1 please. So there's some back and forth about the
2 OBL items that -- pardon me, I misspoke -- the
3 delegation requests that come out of the initial
4 requests from the LBCC. It then gets deferred to
5 the public works committee. So there's a bit of
6 back and forth here, and you forward an e-mail
7 about this delegation request.

8 You get taken off the chain at
9 some point, but your e-mail gets forwarded, and
10 Mr. Moore forwards it to Mr. Ferguson, copying Mr.
11 Lupton, and he says:

12 "FYI - some roughness/skid
13 resistance/friction testing
14 has been done. However, I'm
15 still trying to get the
16 analysis for it and put it
17 into context (like how does
18 this compare to other highways
19 of similar type). MTO is very
20 guarded of this information
21 and does not share numbers due
22 to liability and concerns they
23 will form part of a legal
24 action. We should be
25 similarly wary." (As read)

1 Do you recall in the first
2 half of 2016 if Mr. Moore ever asked you to
3 assist, in any capacity, in him getting analysis
4 or context for roughness, skid resistance or
5 friction testing?

6 A. I'm trying to think of
7 what you mean by "assist."

8 Q. Assist in any way.
9 Printing documents, sending an e-mail, doing
10 requisitions for a purchase order, anything like
11 that.

12 A. It's possible, but I do
13 not have a specific knowledge of that in 2016, no.

14 Q. In respect of Mr. Moore's
15 comments that the MTO is very guarded with this
16 information and we should be similarly wary, did
17 he ever express any views about keeping
18 information close to the vest to you?

19 A. Not to me, no.

20 Q. Registrar, you can close
21 that call out, and if you can go to OD6, page 86,
22 please. I'm sorry, I don't know why I took you to
23 OD6. I meant OD7, page 86. I said it with such
24 emphasis as well. Sorry about that.

25 In the spring of or late

1 winter of 2016, Golder conducted some pavement
2 analysis for dips and bumps, you'll see at
3 paragraph 272. And there's some back and forth.
4 You don't appear to be copied on most of this,
5 except for you did do a PO on this.

6 Were you aware that Golder had
7 been retained for a new project in respect of the
8 pavement on the Red Hill?

9 A. My only -- no. Actually
10 my only input into -- or my only action in this
11 would have been to do the requisition. No prior
12 knowledge.

13 Q. And no specific knowledge
14 about exactly what Golder was doing?

15 A. No.

16 Q. Registrar, can you go to
17 page 172 of OD7. In March of 2017, Mr. Cooper and
18 Mr. Ferguson, both in traffic engineering and
19 operation, were preparing an update to give to the
20 public works committee about the work to date on
21 safety countermeasures on the Red Hill and the
22 LINC.

23 Registrar, could you pull up
24 173 as well.

25 In the draft report that they

1 prepared, under the chart that's on page 173, the
2 very first line under "Medium Term Options" is
3 "Conduct Pavement Friction Testing," and it says
4 "40,000" and it says "completed." And then in the
5 final version, the monetary value is taken out,
6 but it says "completed."

7 Did anyone ask you to confirm
8 if friction testing was completed as this report
9 was being prepared in March of 2017?

10 A. No.

11 Q. To your knowledge, is
12 there any policy that sets out how staff need to
13 get information from other divisions in order to
14 provide accurate information in staff reports?

15 A. I don't believe there is
16 a policy, no.

17 Q. Registrar, can you go to
18 page 178, please. In 2017 Mr. Mater circulated a
19 calendar invitation for a meeting scheduled for
20 May 1st, 2017. Registrar, could you bring up 179
21 as well, just to see the full list. You're not
22 listed as an attendee for this meeting but Mr.
23 Moore is. The agenda items are listed on the
24 bottom of 178 and into 179, and they include a
25 review of the reports, status of recommended

1 improvements, short term, medium term, long term,
2 friction test results, OBL directions, strategy to
3 address, and so what?

4 N. Clark is listed as the
5 author. Just so that I'm clear, in May of 2017,
6 do you recall who Ms. Clark was the administrative
7 assistant to?

8 A. Sorry, Nancy Clark?

9 Q. Yes.

10 A. She was the
11 administrative coordinator to the GM of public
12 works.

13 Q. So the GM at that time
14 was Mr. McKinnon; is that right?

15 A. 2017, apologies, yes.

16 Q. It's okay. You just said
17 to the general manager. I don't think you
18 misspoke. And Ms. Clark was always the admin
19 assistant to the general manager, first Mr. Davis
20 and then Mr. McKinnon?

21 A. Yes, so she was the
22 administrative coordinator, so she kind of
23 oversaw -- she worked with the GM to oversee what
24 the department needed to do.

25 Q. So she wasn't just an

1 assistant to the GM, she actually had a
2 coordination role as well?

3 A. She coordinated through
4 the GM's office.

5 Q. Did you have any
6 involvement or input into the preparation of this
7 agenda?

8 A. I don't believe so, no.

9 Q. Did Mr. Moore ask you for
10 any assistance to prepare for this meeting?

11 A. I don't believe so, no.

12 Q. Registrar, could you go
13 to page 182 and 183, please.

14 So you mentioned a little bit
15 earlier remembering when Councillor Conley reached
16 out to you to ask for information. So we're going
17 to go into that series of e-mails. I'm going to
18 take you through it in some detail before I ask
19 some questions.

20 In fact, Registrar, can you
21 bring up 183 and 184.

22 So on June 1, you can see in
23 paragraph 531 Mr. Ribaric e-mailed Mr. Ferguson
24 under the subject line "RHVP pavement friction
25 testing," copying Councillor Conley. And I

1 understand Mr. Ribaric is Councillor Conley's
2 assistant.

3 A. Yes.

4 Q. And he said to

5 Mr. Ferguson:

6 "Was there pavement friction
7 testing done on the RHVP last
8 year and, if so, what were the
9 results? Thanks."

10 And Mr. Ferguson responds and
11 copies Councillor Conley and Mr. Moore and he
12 says, "I have copied Gary on this e-mail." You're
13 not copied on that e-mail.

14 On June 5, Mr. Ribaric
15 received an out of office from Mr. Moore in
16 response to an e-mail that he sent about this
17 issue. And Mr. Moore was scheduled to return to
18 the office on June 12, 2017. So just stopping
19 there, do you recall Mr. Moore being on vacation
20 from June 5 to June 12?

21 A. He could have been on
22 vacation or he could have been at a conference.

23 Q. What is -- what was Mr.
24 Moore's practice when he was out of the office, in
25 terms of checking his e-mails?

1 A. He would occasionally go
2 in and check the e-mails and if something he
3 needed forwarded, he would sometimes send to me or
4 he would send directly to the person that needed
5 to respond. It wasn't like an all day thing. He
6 would occasionally go in.

7 Q. Okay. Were you
8 instructed to access his inbox and track his
9 e-mails while he was away?

10 A. There were sometimes yes
11 and sometimes no.

12 Q. Do you have a specific
13 recollection about this week in June of 2017
14 whether he instructed you to monitor his inbox?

15 A. No, I do not have a
16 specific memory of that.

17 Q. When he did ask you to
18 monitor his inbox if he was out of the office,
19 what were his instructions in terms of what to --
20 what you were supposed to do in terms of
21 monitoring?

22 A. Monitoring for anything
23 that was urgent, and then it would go to the
24 acting director to assist in guiding me to find
25 out the best method of response.

1 Q. So you'll see at the top
2 of 184 at paragraph 534, Mr. Ribaric replied to
3 Mr. Ferguson's e-mail, which had copied Mr. Moore,
4 and he added you and he added Councillor Conley
5 and he kept in Mr. Moore and Mr. Ferguson, and he
6 said, "With Gary out of the office, can you find
7 someone to provide a response to Doug?" Did
8 understand that was a request to you?

9 A. Yes, because it was -- I
10 was -- the e-mail was sent to me asking me to find
11 out in Gary's absence as his admin assistant.

12 Q. So you responded to
13 Mr. Ribaric, copying all of the people who had
14 been in the last e-mail and adding Mr. Oddi, and
15 you said, "I most certainly can get you a response
16 by copy to Marco." Why did you copy Marco on this
17 e-mail?

18 A. Because I believe if
19 anybody besides Gary knew about anything Red Hill
20 or friction testing, Mr. Oddi would have been
21 there because he was also very knowledgeable on
22 the Red Hill.

23 Q. Okay. If you can look at
24 the very last paragraph of page 184, just going in
25 time, we were just looking at an e-mail from 1:46

1 and now it's 2:58. Councillor Conley e-mailed
2 Mr. Moore and Mr. White, this time copying
3 Mr. Ribaric, and asking what the results of the
4 friction testing were. Registrar, can you pull up
5 185 now, please.

6 You'll see that Councillor
7 Conley then forwarded that e-mail to you, copying
8 Mr. Ribaric, and asking you to follow up on their
9 request in Gary's absence. So it seems like
10 you're getting dual e-mails both from Mr. Ribaric
11 and from Councillor Conley directly.

12 A. That's correct.

13 Q. And you -- again, you'll
14 see in 540, you say, by copy I'll ask Marco again
15 to investigate and respond. And now, so you've
16 just copied Councillor Conley, and so you have
17 sent now two requests to Marco, hopefully to join
18 these two chains of e-mails.

19 Did you take any steps to
20 speak to Mr. Oddi at any point when you were
21 copying him in on these e-mails?

22 A. It is possible I may have
23 reached out to him via phone, but I don't
24 specifically recall doing that.

25 Q. So you'll see -- that's

1 at 3:25 you send the second e-mail copying Marco,
2 and then at 3:52 you respond to Councillor Conley,
3 copying Mr. Ribaric, Mr. Moore, Mr. Oddi and now
4 Ms. Jacob, and you said:

5 "My apologies, it was Gary who
6 requested the friction testing
7 in 2014 and unfortunately I do
8 not have a copy of that
9 report. I will follow up with
10 Gary on your request when he
11 returns to the office on June
12 12th."

13 So how did you know in June of
14 2017 that it was Gary who had requested friction
15 testing in 2014? What steps did you do to be able
16 to provide that information to Councillor Conley?

17 A. I don't believe I would
18 have done any steps. I believe I was advised by
19 him. I would think Marco is who I was asking.

20 Q. Do you have a
21 recollection of asking Marco about friction
22 testing in 2014?

23 A. Not specifically, no.

24 Q. Would you have reached
25 out to Mr. Moore directly to deal with this

1 matter?

2 A. I'm sorry, say that
3 again.

4 Q. Would you have reached
5 out to Mr. Moore to get further information to be
6 able to respond to this inquiry?

7 A. Only if I think -- sorry.
8 (Speaker overlap)

9 Q. He's out of the office
10 right now.

11 A. Right. So unless it was
12 an urgent request, I would not have reached out to
13 Mr. Moore.

14 Q. Looking at this, sitting
15 here today, is this the kind of request that you
16 would have deemed urgent enough to reach out to
17 Mr. Moore?

18 A. No.

19 Q. Okay. So you say it was
20 Gary that requested friction testing, and I think
21 your evidence just now was that you think it was
22 Mr. Oddi who told you that, or is that just
23 speculation?

24 A. I believe that's just
25 speculation on my part.

1 Q. And then you go on to say
2 "Unfortunately, I do not have a copy of that
3 report." What steps did you do to try to find a
4 copy of that report before you sent this e-mail?

5 A. I may have just -- I
6 would have just checked Gary's office to see if he
7 had anything lying around, but obviously I didn't
8 find anything.

9 Q. Okay. Would you go into
10 his inbox or the folders within his inbox to try
11 to locate it?

12 A. No.

13 Q. At this point in 2017,
14 did you know either way whether there was in fact
15 a report that existed, that you didn't have access
16 to but it existed? Did you know that at this
17 point?

18 A. I had no idea whether a
19 report existed or not.

20 Q. Registrar, can you pull
21 up 184 along with 185. Thank you.

22 So this is a matter of time.
23 The OD is not exactly in chronological order. If
24 you look at 536, at 5:08 Mr. Oddi responded and
25 said:

1 "Sorry I was not aware of and
2 have not seen the results of
3 the RHVP pavement friction
4 testing. This will probably
5 to have wait till Gary
6 returns."

7 Does that assist you with
8 refreshing your memory about whether you spoke to
9 Mr. Oddi about this request in between these
10 e-mails on June 5?

11 A. It's quite possible, but
12 I don't have a specific recollection of speaking
13 with him. But it's a possibility, yes.

14 Q. Back on 185 you'll see at
15 the bottom at 3:58 Ms. Jacob responded by e-mail
16 to Ms. Cameron --

17 A. I'm sorry, which one are
18 you at?

19 Q. At 542.

20 A. Okay. Thank you.

21 Q. Ms. Jacob responded. So
22 you had copied her in to the last e-mail just
23 immediately above. Do you recall why you copied
24 Ms. Jacob in?

25 A. My only thought is that

1 she was acting director.

2 Q. Okay.

3 A. But I can't confirm or
4 deny that, yeah.

5 Q. Okay. So she says, "Is
6 this for the Red Hill? Maybe we can touch base
7 with Ludomir." And of course there's a
8 reference -- you say above, it was Gary who
9 requested friction testing. You don't mention
10 Golder.

11 Did you have any discussions
12 with Ms. Jacob at any point in the -- as she's
13 sending you this e-mail? And you'll see the next
14 one where you respond. Did you actually speak to
15 Ms. Jacob about this?

16 A. I don't -- I don't
17 believe so, no.

18 Q. So you respond about half
19 an hour later and say, "I wouldn't give anything
20 to the Councillor without Gary's permission." And
21 that comment that you make, is that -- was that
22 your general view to not give things to external
23 parties without Gary's permission, or is there
24 something specific about the request that's being
25 made now?

1 A. I think that would fall
2 across the board to any request. Where Gary has
3 requested a report, I would not supply that
4 without Gary's permission.

5 Q. Registrar, can you go to
6 186, please. In the continuing multiple e-mail
7 chains, Mr. White responded to Councillor Conley
8 and copied in Mr. Andoga and Mr. Sidawi, and says,
9 "traffic doesn't have a copy of the results. I
10 believe asset management has the info." And then
11 Mr. Sidawi --

12 A. Sidawi.

13 Q. Sidawi. I'm sorry. I'm
14 saying it wrong. Sidawi responded and said,
15 "We're trying to track who has this in info." Did
16 you have any discussions with him as he's trying
17 to track down who has this info?

18 A. Not prior to receiving an
19 e-mail, I believe, from him. I don't believe I
20 had any conversation with him face-to-face. I
21 believe it was just via e-mail where I was brought
22 in to find out that the councillor had been
23 reaching out to numerous staff in different e-mail
24 chains asking for the same report.

25 Q. Right. So you respond to

1 him:

2 "I already replied to the
3 councillors office that this
4 needs to wait until Gary gets
5 back on Monday. Too many
6 people answering the same
7 e-mail."

8 A. That's correct.

9 Q. Did you have a sense that
10 there was something sensitive about this
11 particular request or that made you want to wait
12 until Mr. Moore returned so he could handle it
13 himself?

14 A. I didn't feel the
15 matter -- I didn't feel it was an urgent request,
16 even though there were numerous e-mail chains
17 going around. If the councillor at any time came
18 back to say that the matter was urgent and he
19 needed the information urgently, I then would have
20 reached out to Gary.

21 Q. My question was did you
22 have a sense that there was something sensitive
23 about this particular request for friction tests
24 that made you want to wait until Mr. Moore
25 returned to handle it himself?

1 A. No.

2 Q. So Mr. Moore is copied on
3 many of these e-mail chains that are going back
4 and forth, so presumably those are sitting in his
5 own inbox. Did you follow up with Mr. Moore about
6 this request when he returned to the office on
7 June 12th?

8 A. Not that I can recall off
9 the top of my head, but I'm sure he would have
10 seen it being copied in on all the e-mails.

11 Q. He doesn't follow up
12 until a follow-up request comes from the
13 councillor's office on June 27. Recognizing you
14 may not have known all the background, you know,
15 if there was discussions, but just generally, does
16 that period of time from June 12th when he returns
17 to June 27th, does that seem like a long time to
18 go without responding to a Councillor's request?

19 A. I don't know of any in
20 between. I don't have knowledge of any in between
21 discussions or conversations or calls that may
22 have happened. I do not have that intel of what
23 Gary did behind the scenes.

24 Q. So assuming that there
25 was no back and forth, in your experience working

1 with the City, does that seem like a long time to
2 wait to respond to a councillor?

3 A. How long was the -- from
4 June?

5 Q. He returns on June 12.
6 The Councillor follows up on June 27 having not
7 heard from him.

8 A. Yeah, I -- I don't have
9 an answer for that question. I don't know.

10 Q. You don't have an answer
11 to that question?

12 A. No. I don't know if it's
13 a proper protocol to wait that long. Like I said,
14 I don't know what Gary was doing in the
15 background. It took that long for -- before the
16 Councillor had to follow up with him.

17 Q. Registrar, can you go to
18 the next page, 187, please. Can you call out 548
19 to 550, please.

20 A. 548?

21 Q. Yeah, 548 to 550. I just
22 wanted to make them bigger.

23 Now we're at June 27, as I was
24 just talking about that date. Mr. Ribaric
25 followed up on one of the many e-mail chains and

1 says, "Doug is still looking for this information.
2 Has anyone found it?" You're not copied on that
3 e-mail, but you'll see that in 550 Mr. Moore
4 responds and says, "Rob, have Doug call in this
5 regard. Thanks."

6 Do you have any information as
7 to whether Councillor Conley and Mr. Moore spoke
8 on the phone in or around June 27?

9 A. No, I do not have any
10 knowledge of that.

11 Q. Registrar, you can close
12 this down. If you can go to the next page, 188.
13 On July 15, 2017, Ms. O'Reilly published -- well,
14 The Spectator published an article written by
15 Nicole O'Reilly entitled, "Highway Traffic
16 Tragedies: Why are there so many crashes on the
17 Red Hill?" Do you recall this article, when it
18 came out? Do you recall reviewing it when it came
19 out?

20 A. No.

21 Q. Do you recall seeing it
22 at some point after it came out before the public
23 inquiry was called?

24 A. I don't recall physically
25 seeing it, no.

1 Q. Would it be helpful for
2 me to go into the actual document itself?
3 Actually, maybe I'll ask it this way: When you do
4 read The Spectator, do you read it on-line or do
5 you read hard copies?

6 A. Actually I don't read The
7 Spectator on-line or hard copy. At that time my
8 husband did.

9 Q. Did he read it hard copy?

10 A. He read a hard copy every
11 day, yes.

12 Q. We only have an
13 electronic copy, so I'm not sure that will refresh
14 your memory. But perhaps I'll just put it this
15 way: In that article, Mr. Moore is reported as
16 saying that friction testing results on the RHVP
17 were inconclusive.

18 Did Mr. Moore, either before
19 this article came out or after this article came
20 out, ask you for any assistance about -- to track
21 down information about friction testing results?

22 A. I don't believe so, no.

23 Q. Registrar, can you go to
24 page 190, please. And can you pull up 191 as
25 well. Ms. Cameron, in July of 2017 a law clerk

1 from a law firm reached out to the City about
2 pending litigation and that a law clerk was put in
3 touch with Mr. Moore via Mr. Ferguson. And I have
4 some questions about that.

5 First, to your knowledge, was
6 Mr. Moore regularly a point person for external
7 counsel in litigation with the City?

8 A. Not that I remember, no.

9 Q. Prior to August of 2017,
10 do you recall having any interactions with Colleen
11 Crawford, who is the law clerk that I was just
12 referencing? She's at Shillingtons.

13 A. I don't believe I had any
14 interactions with her, no, prior to that.

15 Q. So you see in
16 paragraph 560 Ms. Crawford reaches out to
17 Mr. Ferguson first and asks for a telephone
18 conference to review the roads, the recent
19 friction studies completed by the City and the
20 proposed road work, and Mr. Ferguson directs that
21 to -- that inquiry to Mr. Moore.

22 And then at 566, which is on
23 page 191, Mr. Moore replies, and this is where you
24 get copied in, and he says:

25 "I've been in all day

1 meetings, since I got back.
2 I'm out of the office again
3 tomorrow but back Monday. I'm
4 available for a phone meeting
5 at 11 or at 3. Please contact
6 my admin to confirm."

7 And then you exchange e-mails
8 about the time and send a calendar appointment.

9 A. Okay.

10 Q. Did Mr. Moore ask you to
11 do anything to assist him before this call?

12 A. I'm sorry, say that
13 again. Did I assist to?

14 Q. Did Mr. Moore ask you to
15 do anything to assist him to provide (skipped
16 audio) this call?

17 A. No.

18 Q. You'll see the subject
19 line that you put in, the appointment was brief
20 discussion with Shillingtons' lawyers re friction
21 testing on the LINC and Red Hill. Did you connect
22 this request from Ms. Crawford to the request that
23 Councillor Conley had been making the month
24 before?

25 A. No, that's not something

1 that I would connect, no.

2 Q. Okay. Did you attend
3 this phone meeting with Mr. Moore and Ms.
4 Crawford?

5 A. No, I believe in the time
6 that I worked with Mr. Moore I never attend a
7 phone conversation with him, no.

8 Q. Did he do anything --
9 pardon me, did he ask you to do anything following
10 this call to assist him to respond or follow up
11 with Shillingtons?

12 A. Not that I remember.

13 Q. Registrar, can you go to
14 the next page, please.

15 At the top of this page you'll
16 see on August 15 after the call that he had with
17 Ms. Crawford, he sent Ms. Crawford an e-mail,
18 subject "Red Hill Friction Report." He didn't
19 copy you or anyone else on that e-mail, and he
20 says, "As requested, the testing was done in late
21 2013 and I received it in early 2014," and he
22 attached a copy of the Tradewind Report to that
23 e-mail. Were you aware that Mr. Moore had sent a
24 copy of the Tradewind report to Ms. Crawford in
25 August of 2017?

1 A. No, I'm not.

2 Q. He didn't ask you to file
3 these e-mails anywhere or do anything with them?

4 A. He managed his own
5 e-mails.

6 Q. I'm just going to jump
7 forward a little in time. Registrar, can you go
8 OD9A, page 12, please. Could you bring up -- no,
9 that's good. You'll see -- sorry, give me one
10 second. As we move to the new ODs, I just want to
11 make sure I'm in the right place. Registrar, can
12 you go to the next page, please. Thank you.

13 So, Ms. Cameron, we've jumped
14 forward a little in time but on the same topic.
15 You'll see that Ms. Cameron forwarded an e-mail
16 that she received from Mr. Moore to -- back to
17 Mr. Moore, copying Ms. Swaby, and says:

18 "Good afternoon Gary, you may
19 recall speaking with
20 Mr. Shillington and myself
21 last August regarding the
22 friction testing and that they
23 are preparing an Affidavit of
24 Documents, and they want to
25 confirm if at any time has

1 this report been presented to
2 council. If so, can you
3 provide us with a copy of any
4 reports prepared for city
5 council and a copy of the
6 meeting minutes." (As read).

7 And Mr. Moore responded, "No,
8 this report was never reported to council."

9 Were you involved in any of
10 the back and forth in May of 2018 involving
11 Mr. Moore and Ms. Crawford? To be clear, you're
12 not copied on these e-mails.

13 A. I have no knowledge of
14 this correspondence going on, no.

15 Q. Did Mr. Moore ever tell
16 you that he had provided a copy of the Tradewind
17 report or this follow-up information to
18 Shillingtons?

19 A. No, I don't recall him
20 ever telling me that, no.

21 Q. So this is -- we'll get
22 to it, but this is right around the time that he
23 is starting to wrap up because he's going to be
24 retiring about three weeks after this.

25 A. Okay.

1 Q. Do you recall as part of
2 the transition process when he was wrapping up his
3 role as director of engineering that he told you
4 anything about external litigation that he was
5 assisting with?

6 A. No, he did not.

7 Q. Registrar, you can go out
8 of this document and into OD8, please. Can you go
9 to page 18. Actually, Registrar, can you bring up
10 page 17 and 18 together, just for a bit of
11 context. Thank you.

12 In November of 2017, Golder
13 prepared a draft proposal about testing on the
14 RHVP, which we call in this document the Golder
15 pavement evaluation, and you'll see at
16 paragraph 41 the proposal described the scope of
17 work as surface frictional properties testing
18 using the British pendulum tester, pavement
19 texture measurements, and coring of surface course
20 asphalt layers. Eventually this gets put into a
21 proper proposal with a proposal number and then
22 you do a PO.

23 Registrar, can you go to
24 page 27.

25 So you'll see at 61, Mr. Moore

1 asks you to prepare a purchase order requisition
2 in respect of this scope of work. And that
3 followed the same process that we've been talking
4 about before; is that right? There wasn't
5 anything unusual about that one?

6 A. No.

7 Q. Registrar, can you go to
8 page 64, please. So we're now into February
9 of 2018, and on February 9th you wrote to
10 Dr. Uzarowski regarding the expected receipt of
11 the testing results. And this is --

12 A. Sorry, is that 170?

13 Q. 172.

14 A. Oh, 172. Sorry. Okay.

15 Q. Registrar, can you pull
16 up 172. So the first thing you ask about in this
17 e-mail is an invoice that doesn't have a PO number
18 on it, and then you say, "P.S. Gary would like to
19 know where the test results are. Please advise."

20 Do you recall Mr. Moore asking
21 you to follow up with Dr. Uzarowski about the test
22 results relating to the pavement evaluation?

23 A. I would not have spoken
24 on behalf of Gary without Gary asking me to do so.
25 I would say yes, he asked me to reach out to

1 Dr. Uzarowski.

2 Q. Registrar, could you go
3 to page 31 of OD8. Ms. Cameron, this is on a
4 different topic, and we're back in December of
5 2018, so we're still jumping around but basically
6 that period of time.

7 In December, on December 4th,
8 you e-mailed Mr. McGuire and Mr. Field regarding
9 lighting on the Red Hill. Registrar, can you pull
10 up paragraph 76, please. You e-mail Mr. McGuire
11 and Mr. Field and you copy Mr. Moore, and you say:

12 "Councillor Conley is
13 requesting an information
14 report on lighting the Red
15 Hill as he says he still gets
16 complaints."

17 So just stopping there, do you
18 know how that information got transmitted to you,
19 that Councillor Conley was requesting an
20 information report?

21 A. No, I don't recall how it
22 got transmitted to me.

23 Q. It says:

24 "I spoke to Mike and since
25 Martin is doing a report for

1 January 15 that is responding
2 to five previous motions that
3 includes barriers, he feels a
4 coordinator effort is
5 required. I suggest, Gord,
6 that you, Mike and I sit down
7 and put something to Martin
8 copying in Gary and John
9 Mater."

10 Then it says:

11 "Mike was approved for some
12 money to hire a consultant.
13 Mike, any additional
14 information?"

15 So here there's a suggestion
16 that comes from you that Gord, Mike and you sit
17 down and put something to Martin, copying Gary and
18 John Mater. So I'm trying to understand at this
19 point, again December of 2017, what is your role
20 as it relates to staff reports? Because this
21 seems like a much more directive and a much more
22 engaged and involved suggestion than simply just
23 formatting.

24 A. No, I don't give
25 directives. It may have sounded like that, but I

1 think -- my role for the report is to get the
2 information that I need to supply that to the
3 report list. It's not my role to give directive
4 to anybody. I'm assisting them to get what they
5 need.

6 Q. So it was on your own
7 initiative that you suggested to Mr. McGuire and
8 Mr. Field that the three of you sit down and put
9 something together and that you copy in Mr. Moore
10 and Mr. Mater into something for Mr. White?

11 A. I'm offering my
12 assistance to them to get what they need to
13 respond.

14 Q. I understand, but it
15 seems like you're being quite helpful in making a
16 suggestion. Is that how you approached assisting
17 engineering services with staff report writing?
18 Or was this something --

19 A. No, no, no, that's not my
20 normal -- I don't normally approach staff to sit
21 down with them. That's their own, and I don't
22 even -- I don't even know that Mike, Gord and I
23 sat down. It may never have happened. I don't
24 know.

25 Q. Okay. Was there

1 something specific about this request for an
2 information report on lighting that caused you to
3 try to be a little bit more helpful in pulling
4 people together and finding a path forward?

5 A. In truth, I would have to
6 see how it came to me to find out -- for me to
7 reach out to say Councillor Conley is requesting
8 an information report. I would have to see the
9 request that came to me. It could have been
10 verbal, it could have been an e-mail.

11 Q. I'm not sure if I
12 understand your answer. My question was, is there
13 something specific about this request from
14 Councillor Conley for an information report that
15 caused you to reach out to your colleagues to try
16 to get the ball rolling with a report?

17 A. I don't think so, no.

18 Q. Registrar, can you close
19 this callout and can you go to page 86. Pardon
20 me, I misspoke. Can you go to page 33,
21 paragraph 86. Thank you.

22 So you followed up after the
23 public works committee meeting held on December
24 4th, 2017, and you say "see attached as approved,"
25 which is a staff report about -- it's an

1 information report about lighting:

2 "Mike, the lighting on the Red
3 Hill has been added as an OBL
4 item. I will therefore need a
5 date. We can talk more on
6 Tuesday when I'm back in the
7 office."

8 So, Ms. Cameron, I think
9 you've told me that you go to the report writer to
10 get the date so that you can then give it to the
11 coordinator, who gives it to the clerks; is that
12 right?

13 A. I get the information
14 from the report writer. I then transfer that. It
15 was -- it could be in an e-mail or in a
16 spreadsheet, to update the list. And that is for
17 clerks, so they know what's coming on the agenda.

18 Q. Just for your reference,
19 the OBL item is at the next paragraph. Registrar,
20 can you close the callout. You'll see it's at the
21 beginning of 78. Staff are directed to report
22 back to PWC about the cost of installing brighter
23 lights on the southern portion. And --

24 A. Sorry, what are you
25 reading?

1 Q. Very, very bottom.

2 A. Okay.

3 Q. 87. I think I said 78,
4 sorry. The cost of installing brighter lights on
5 the southern portion, and that the report is to
6 address the impact of brighter lighting that they
7 may have on the environmental assessment currently
8 in place on the Red Hill.

9 So that was part of the e-mail
10 above where you're asking Mr. Field for a date for
11 an OBL item. And Mr. Field responds to your
12 request for a date and says no, with a picture of
13 a cat. And you responded with the image that is
14 attached at 89 and you said, don't go making --
15 "don't make me go all Gary on you." Do you
16 remember this exchange with Mr. Field?

17 A. I do.

18 Q. What did you mean when
19 you said the phrase "go all Gary on you"?

20 A. Gary was -- Gary was
21 loud, and it was nothing between Mike and I but a
22 joke. That's the working relationship Mike Field
23 and I had. I've known Mike since I started with
24 Hart Solomon at the City and we joked, and this
25 was strictly a joke and that's been kind of blown

1 out of proportion.

2 Q. I'm recognizing that you
3 have a good collegial relationship with Mr. Field.
4 You chose this particular image and you reference
5 Mr. Moore. Was there something that had a
6 negative truth that Mr. Field might find funny by
7 including that reference to that image?

8 A. So he sends me grumpy
9 cat, so I just jokingly found something to respond
10 back to him. That's all it was, it was a joke.
11 Gary never attacked anybody like that.

12 Q. Turning to the transition
13 to Mr. McGuire. Can you go to page 97 and 98,
14 Registrar. So you'll see at the bottom of 97 at
15 268, in April of 2018, Mr. McKinnon sent an e-mail
16 announcing Mr. Moore's retirement. It's there at
17 the bottom. You don't need to call it out,
18 Registrar. On the next page it continues on, and
19 if you could call this out, Registrar.

20 In the third paragraph, he
21 says the last day as a city employee will be
22 Friday, May 25. Right there, yeah. Do you see
23 that?

24 A. Yes.

25 Q. That's like six weeks

1 from that point, is April 13th. When did you
2 first learn that Mr. Moore was retiring?

3 A. It might have been just
4 before that announcement came out.

5 Q. So when this announcement
6 came out, you knew?

7 A. I don't recall one way or
8 the other.

9 Q. Maybe I'll put it
10 differently. Was this e-mail the first time that
11 you learned that Mr. Moore was retiring?

12 A. I don't believe so, no,
13 but I don't recall exactly when I was told or when
14 I found out.

15 Q. Registrar, you can close
16 the call out. Who told you that Mr. Moore was
17 retiring?

18 A. Could have been Gary
19 himself.

20 Q. Okay. Do you have a
21 recollection of Gary telling you that he was
22 retiring?

23 A. Not really, no.

24 Q. You'll see in the
25 paragraph right after the one that was just called

1 out, it says Gary is going to join the LRT office
2 to provide senior technical guidance. Did
3 Mr. Moore communicate that part to you, that he
4 was going to the LRT office?

5 A. At some point I believe
6 he did, yes.

7 Q. Okay.

8 A. I don't recall exactly
9 when.

10 Q. Okay. Before April of
11 2018, did you understand that Mr. Moore had
12 actually been doing work for the LRT office as
13 part of his duties as director of engineering?

14 A. Yes, I was aware.

15 Q. In that period of time
16 where he was taking on -- Mr. Moore was taking on
17 responsibilities for some aspects of the LRT
18 project, how was -- I'll put it this way: Was
19 Mr. McGuire involved in assisting Mr. Moore to
20 meet all of the responsibilities of being director
21 of engineering?

22 A. I don't believe so, no.

23 Q. Do you recall a period or
24 time where they were sharing responsibilities,
25 Mr. Moore and Mr. McGuire?

1 A. Only when it was
2 announced by Dan McKinnon that to give -- to ease
3 Gary's workload that he was going to make Gord
4 kind like a co-director to take care of asset
5 management plus his own, and then Gary could
6 concentrate on LRT and oversee design and
7 construction.

8 Q. And I'm not going to take
9 you to it, but I think that announcement comes
10 earlier in 2018. Does that accord with your
11 memory?

12 A. I'm not particularly good
13 on dates, but it sounds about right, yes.

14 Q. Sure. So the inquiry has
15 received some evidence that Mr. McGuire eventually
16 is the successful candidate for the director of
17 engineering role?

18 A. That's correct.

19 Q. Did you understand that
20 he was in an acting capacity after Mr. Moore left
21 on May 25?

22 A. I believe he was acting
23 while they were doing a recruitment.

24 Q. To your knowledge, before
25 Mr. Moore left on May 25, did he prepare a list of

1 projects or a transfer memorandum or anything like
2 that to be used by his successor?

3 A. If he did, that was not
4 shared with me, no.

5 Q. Did you assist Mr. Moore
6 with doing any sort of transition work for the new
7 director of engineering services?

8 A. The only thing that Gary
9 gave me was a -- there were -- there was a pile of
10 documents and he just brought me into his office
11 and said, tell Gord to keep these, to never throw
12 them away, and they were Red Hill documents.

13 Q. We're going to come back
14 to that. Apart from providing that package of
15 documents, the Red Hill documents --

16 A. Nothing else.

17 Q. -- any other way --

18 A. No.

19 Q. Okay.

20 A. Sorry, I brought him a
21 recycling bin.

22 Q. We're going to get to
23 that, the cleaning of his office, in a moment's.

24 Just before we get there -- so
25 his last day is May 25. After he retired he moves

1 to the LRT office. Which location was he working
2 out of? Which office? Where was he located after
3 May 25?

4 A. So he was still in the
5 same suite, which was suite 320 at the 77 James,
6 except he -- he was at the other end of the
7 office. We had turned a small meeting room into
8 an office for him.

9 Q. And how long did he stay
10 in that small office?

11 A. It might have been a
12 year, it might have been less than a year. I
13 don't actually recall an exact length of time.

14 Q. In the period of time
15 between Mr. Moore moving and vacating his director
16 of engineering office and going to that small
17 meeting room and Mr. McGuire coming into the role,
18 was there a period of time where the director's
19 office was empty?

20 A. I believe it was empty
21 for a little bit of time while it was painted, and
22 I went into stores and got a new desk or a
23 different desk for Gord.

24 Q. Okay.

25 A. Mind you, that was after

1 he got the permanent position.

2 Q. Right. So while he was
3 in the acting position, no one was in the office?

4 A. While he was in the
5 acting position, he was still working from his
6 cubicle.

7 Q. All right. Let's go back
8 to something you said just a moment ago about
9 bringing Mr. Moore a recycling bin as he was
10 cleaning out his office. Did you assist him with
11 assessing what to put in the recycling bin?

12 A. No, I did not.

13 Q. Just brought it to him
14 and left it there?

15 A. That's correct.

16 Q. Was that just in the days
17 leading up to his last day on March 25?

18 A. I believe so, yes.

19 Q. Okay. Apart from those
20 Red Hill documents that you were just mentioning
21 that we'll talk about, did he give you any other
22 documents to file?

23 A. I don't believe so.

24 Q. Did he give you any other
25 documents to give to anybody else, any other

1 engineering services staff?

2 A. No.

3 Q. Did he give you any
4 documents to go put in the little reference area,
5 the little library that is in the suite?

6 A. No.

7 Q. Can you tell us more,
8 elaborate on that interaction that you had with
9 Mr. Moore where he gave you Red Hill related
10 documents?

11 A. That's correct.

12 Q. So tell me more about
13 what happened.

14 A. I believe he was close to
15 finishing up cleaning out his office and he just
16 brought me in and said -- he had a little round
17 table in his office, and he just said these
18 documents, he says, give those to Gord, tell him
19 to never throw those away, the Red Hill, and they
20 would be useful in a litigation.

21 Q. Okay. Do you remember
22 how -- how many documents, or can you give us a
23 sense of what the package of documents looked
24 like?

25 A. There were a few larger

1 documents that looked like they might have been
2 road drawings. There were other smaller
3 documents, but I, in truth, did not really take an
4 inventory of what was actually there.

5 Q. When you say there was
6 larger documents, do you mean, like, the size of
7 the paper was larger?

8 A. The size of the paper was
9 larger, yes.

10 Q. Okay. Were there any
11 documents that were bound?

12 A. It's possible. Like I
13 said, I didn't really pay that much attention. I
14 took my direction as showing these to Gord and
15 leaving those with Gord to deal with. I didn't
16 have any interest in looking through those
17 documents.

18 Q. Did Mr. Moore say
19 specifically, give these to Gord? I just ask
20 because Gord wasn't in the permanent position yet.

21 A. Gord was in the acting
22 position, so bringing this to his attention. So
23 even if Gord did not become the full-time
24 director, it would be him to bring that knowledge
25 to the next permanent director.

1 Q. That's how you understood
2 it, was something that the --

3 A. -- that was how I
4 understood it.

5 Q. It's not something that
6 Mr. McGuire specifically should have?

7 A. That's correct.

8 Q. So what did you do with
9 that -- actually, just in terms of, like, how
10 large it was, if we put it all in a stack of
11 documents, is it 2 inches, is it enough to fill a
12 bankers box?

13 A. It was enough to fill --
14 and I only know this because that's what we did
15 with it -- it was enough to fill of a normal-sized
16 filing cabinet drawer, bottom drawer. It didn't
17 have any hanging files in it. The documents sat
18 in there.

19 Q. Did you put those
20 documents in that filing cabinet directly when you
21 received them from Mr. Moore in the days leading
22 up to his retirement?

23 A. No, I did not.

24 Q. What did you do with them
25 first?

1 A. The documents were left
2 in the office, Gary's previous office. They were
3 left there when -- and they were just left there
4 until Gord became the permanent director, and when
5 he was moving into the office, I had just left the
6 documents on the bookshelf that were there, and he
7 asked what those were. I told them what they
8 were, and he was moving in his own stuff and he
9 asked me to move them, and I, you know, pretty
10 much asked him where, and he said, just put them
11 in the empty cubicle beside you. So that's where
12 I moved them.

13 Q. Did you put them into any
14 sort of box or, you know, vessel to collect them
15 or they were just sitting --

16 A. No, they were just
17 sitting there.

18 Q. How long were they
19 sitting in that stack in the cubicle?

20 A. It could have been a
21 couple of months. It wasn't -- they weren't moved
22 until we hired the SPM of continuous improvement,
23 and we needed -- well, not we. I needed to set up
24 the cubicle for him because he was the senior PM
25 to the director that would work on continuous

1 improvement projects. So I needed to set that
2 desk up for his coming in.

3 Q. Is that Mr. Sharma?

4 A. That was Mr. Sharma, yes.

5 Q. So you set up
6 Mr. Sharma's cubicle and then you had this stack.
7 Is that when you put them in the filing cabinet?

8 A. That's when I had brought
9 to Gord's attention that I didn't have anywhere to
10 put them, and he said talk to Laura Lynn in
11 geomatics and see if she's got a spot. He said
12 she probably has a spot that she could put them.
13 I went and spoke to her. We cleaned out a bottom
14 drawer of a filing cabinet near the manager of
15 geomatics area, and we cleaned that out and made
16 space, and that's where I put the documents,
17 closed the drawer. It was not locked.

18 Q. Registrar, could you go
19 back one page to 96, please. Can you call out 261
20 to 263.

21 So this is before Mr. Moore
22 retires. There's a back and forth and Ms.
23 Wunderlich received an e-mail from someone in -- I
24 think in document collection, regarding a
25 scheduled destruction of offsite records,

1 including records related to the Red Hill, and
2 there is a list of documents, and Ms. Wunderlich
3 forwarded to that to Mr. Moore and then to Ms.
4 DiDomenico. And there was a reference to an FOI
5 request yesterday for all records pertaining to
6 the construction on the Red Hill.

7 So just stopping there, do you
8 remember an FOI request about -- pertaining to the
9 construction of the Red Hill?

10 A. In 2018 --

11 Q. Yeah.

12 (Speaker overlap)

13 A. -- I don't know. I would
14 have to kind of see the detail of that. I do
15 recall FOIs starting to come in in 2018. There
16 was a few of them on the Red Hill.

17 Q. Okay.

18 A. I don't know if this was
19 the first one that started coming in.

20 Q. You also e-mailed Ms.
21 DiDomenico regarding the records, and Ms.
22 Wunderlich e-mailed Ms. DiDomenico the same day,
23 writing:

24 "Considering we don't know
25 what is in these boxes on the

1 Red Hill, should we just go
2 with yes to play it safe? No
3 one has time to go down and
4 look at them."

5 And did she provide those --
6 that suggestion after speaking to you? Did you
7 have discussions about that.

8 A. It's possible we had
9 discussions. In 2018, Nancy Wunderlich was the
10 administrative coordinator I believe after Nancy
11 Clark retired, and we sat very close to each
12 other, so it's quite possible we had a
13 conversation and that's what came out of that.

14 Q. Can you give me just a
15 little bit more background about these boxes and
16 where they were?

17 A. So I know there was some
18 offsite storage. I have not seen it myself. I
19 don't know how much detail I can give you on that.
20 I've done it once myself, which is when I had to
21 pack up all of my paper files, and when the
22 inquiry started, I had to box up all my files and
23 send them to clerks with a do not destroy.

24 Q. But otherwise you haven't
25 been involved in --

1 A. That's correct.

2 Q. -- documents for offsite
3 storage?

4 A. That was my first and
5 only time.

6 Q. And you never had any
7 reason or opportunity to go and look at the boxes
8 that held the offsite records relating to the Red
9 Hill?

10 A. No.

11 Q. I think that you said
12 earlier that you did not use ProjectWise
13 personally much during your time as Mr. Moore's
14 assistant; is that right?

15 A. That's correct. I know I
16 had it on my computer, but I was not familiar with
17 it, didn't understand how it worked, so I did not
18 use it.

19 Q. When Mr. McGuire took
20 over, did that change?

21 A. That did change. He
22 actually showed me how it worked. There was a
23 director folder set up. I, in truth, do not know
24 if it was already there, so I moved all of my
25 files that were on my M drive into that and

1 familiarized myself with ProjectWise, and when
2 needed, I would either ask Gord or talk to his
3 previous admin secretary, Laura Lynn, to assist me
4 with how to upload documents or move documents, or
5 if I needed to do something I wasn't aware of, I
6 would ask for their assistance.

7 Q. The director's office
8 folder that you uploaded things to, were you aware
9 about the access and the permissions to actually
10 access that folder? Did you have any knowledge
11 about who could access that folder?

12 A. My knowledge is when I
13 started working with it with Gord is that the only
14 access to that folder was myself and Gord because
15 of the confidentiality of some of the documents.
16 There were HR records in there. There was labour
17 relations stuff, and there was just other
18 confidential documents that only needed access for
19 the director's office.

20 Q. Prior to Mr. McGuire
21 showing you ProjectWise, had you ever had any
22 reason to access the director's office folder?

23 A. No.

24 Q. You never uploaded
25 anything to it before?

1 A. Not until I started
2 working with Gord.

3 Q. Registrar, can you go to
4 9A, page 15. If you can call out paragraph 24.

5 So we have audit trails, the
6 Inquiry does, that show that on May 15, 2018, a
7 file -- this is the City of Hamilton's provided
8 this information that a file containing the
9 Tradewind Scientific report was uploaded to public
10 works, the public works document management system
11 by Mr. Moore. In that period of time, in that
12 couple weeks or so before he retired, did you
13 assist Mr. Moore at all with uploading documents
14 to the ProjectWise system?

15 A. No, I did not.

16 Q. Did Mr. Moore tell you he
17 was uploading documents to the ProjectWise
18 system --

19 A. No.

20 (Speaker overlap)

21 Q. -- anything that he did
22 with those hard copy documents?

23 A. No, he did not.

24 Q. You can close that down.
25 If you can go to the next two pages, 16 and 17,

1 please.

2 So on May 25, this is Mr.
3 Moore's last day, Ms. O'Reilly e-mailed him, and
4 you can see at paragraph 26 on page 16, and she
5 says:

6 "I am looking for an update on
7 asphalt testing and what's
8 happening with plans to 'shave
9 and pave.' Hoping you connect
10 me to the right person."

11 Mr. Moore forwarded that to
12 Ms. Graham, the communications officer, and says,
13 "I'll let you run with this." And Ms. Graham
14 responds, "Do you know who has this intel now?"
15 And she also e-mailed Mr. McGuire to ask about the
16 state of the rehabilitation, the resurfacing.

17 And then there's some back and
18 forth including Mr. Oddi about the plans for
19 resurfacing, the shave and pave. And at
20 paragraph 32, Ms. Graham replies Ms. O'Reilly is
21 still looking for the results of the asphalt
22 testing.

23 In fact, Registrar, at this
24 point, can you go into HAM53162. This is the
25 underlying document. If you can put up both

1 pages. Thank you.

2 We've just gone through some
3 of this back and forth, but if you look where we
4 just were is on the left-hand side. Registrar,
5 can you just call out the e-mails from Ms. Cameron
6 and Ms. Graham that are in the middle of the page.

7 So you see that all of these
8 are -- this is between Ms. Graham in this case and
9 Mr. Oddi and Mr. McGuire, and then you come into
10 this e-mail chain about 45 minutes later. You
11 take -- Ms. Graham is not included in the
12 response, only Mr. Oddi and Mr. McGuire are. And
13 you say:

14 "Gary uploaded a lot of Red
15 Hill files in ProjectWise
16 under the directors office
17 (engineering services). Not
18 sure if the pavement testing
19 is there but I know it was
20 Golder who did it."

21 Just stopping there. How did
22 you have access to Ms. Graham's e-mail in order to
23 respond? Like, there's no flip to you from
24 anybody else, no forward.

25 A. I probably would have

1 seen it in Gord's e-mail. He had me monitor his
2 e-mails more.

3 Q. This is May 30th, so
4 he's -- this is just a few days after Mr. Moore
5 has left. Did you, that quickly, move to
6 assisting Mr. McGuire in his interim role to --

7 A. Yes.

8 Q. Yes? Okay. Did
9 Mr. McGuire ask you to look into the results of
10 the asphalt testing in response to Ms. Graham's
11 question?

12 A. It's possible he may have
13 asked me to see if I could find anything, but I
14 don't recall.

15 Q. Okay. It might have been
16 on your own initiative?

17 A. No.

18 Q. So you say Gary uploaded
19 a lot of Red Hill files in ProjectWise. So is it
20 fair to read from that that you -- at some point
21 before sending this e-mail, you go into
22 ProjectWise and you see that Mr. Moore has
23 uploaded a number of files into ProjectWise?

24 A. I don't believe I would
25 have gone looking for files. I believe that would

1 have -- and again, I can't be 100 percent sure,
2 but that's something that I would have asked Gary
3 himself being in the same office.

4 Q. Because he's still in the
5 same suite?

6 A. That's correct.

7 Q. So you don't have a
8 recollection of actually clicking through
9 ProjectWise and finding this? Do you have a
10 recollection of speaking to Mr. Moore about that?

11 A. I do not.

12 Q. You say:

13 "Not sure if the pavement
14 testing is there but I know it
15 was Golder who did it."

16 How do you know that it was
17 Golder who did it.

18 A. It might have just been
19 through -- it's not something that I would
20 normally know, but I believe it might have been a
21 knowledge that I had obtained just through
22 correspondence that I had been copied in on
23 previously.

24 Q. Sure. So the initial PO,
25 that interaction with Conley --

1 A. I would not have put
2 those together and I would not have come looking
3 through my files to find out, no.

4 Q. Registrar, can you close
5 this down and go back into OD9A. Page 17, please.

6 At the very bottom of this
7 page, Ms. Cameron, it says about ten minutes later
8 you reply to that same e-mail chain we were just
9 looking at, writing, you happened to be looking
10 for something else and came across these from
11 Golder, and then you included a hyperlink to an S
12 drive of public works, engineering services
13 division, PMTR report, Golder.

14 Do you recall -- maybe just
15 for my confirmation, where it says S drive there,
16 that's on a shared file, that's not in
17 ProjectWise; is that right?

18 A. That's correct. That's a
19 corporate drive.

20 Q. And by May 30th, so
21 you've just started assisting Mr. McGuire in his
22 role as interim director, would you have been
23 familiar with ProjectWise to be searching in it,
24 five days in?

25 A. No.

1 Q. Do you recall what
2 that -- what was included in that hyperlink in
3 that folder where it says "PMTR report - folder"?

4 A. I would -- just reading
5 the link, I would think that it's a folder that
6 holds the PMTR report. I couldn't tell you how
7 many documents or what documents were actually
8 under that folder.

9 MS. LAWRENCE: Commissioner,
10 it's just about a minute before 1 p.m. and I'm
11 just about to move to another topic. I think this
12 might be an appropriate time to take our lunch.

13 JUSTICE WILTON-SIEGEL: That
14 would be fine. We'll return at 2:15. Are you
15 suggesting as well that counsel should stay on the
16 line?

17 MS. LAWRENCE: That I think
18 would be helpful, yes, thank you.

19 JUSTICE WILTON-SIEGEL: That's
20 fine. So we'll stand adjourned until 2:15.

21 --- Recess taken at 12:59 p.m.

22 --- Upon resuming at 2:18 p.m.

23 MS. LAWRENCE: Good afternoon,
24 Commissioner, may I proceed?

25 JUSTICE WILTON-SIEGEL: Please

1 proceed.

2 BY MS. LAWRENCE:

3 Q. Thank you. Ms. Cameron,
4 have you had a chance to review your statement of
5 anticipated evidence?

6 A. I have. Registrar could
7 you open up OD9, page 18, please. Pardon me,
8 OD9A. Thank you.

9 Ms. Cameron, in paragraph 36
10 you'll see that Mr. McKinnon sent an e-mail to
11 public works about Mr. Moore's retirement, and
12 that was on June 14th, and it also indicates in
13 the second paragraph that he was pleased to
14 congratulate Gord, who will officially take on the
15 role of his duties as director of engineering as
16 of June 18, 2018.

17 We were talking a little bit
18 about that timeline before and I just wanted to
19 draw your attention to that period between May 25
20 and June 18, and I think you had said, but just to
21 confirm, Mr. McGuire was the acting director
22 during that time; is that right?

23 A. I believe so, yes.

24 Q. But he was still working
25 from his cubicle?

1 A. Yes.

2 Q. Registrar, can you go to
3 page 59 of OD9A, please. And if you could call
4 out paragraph 142. It says "later that afternoon"
5 at the top. Just to orient you to dates, we're at
6 August 30th. Mr. McGuire e-mailed Ms. Jacob, Mr.
7 Oddi, Mr. Andoga, Ms. Waite, and a copy to you,
8 under the subject line "RHVP road material testing
9 and reports." And he said:

10 "Prior to asking Gary are
11 there copies of asphalt
12 testing reports that reviewed
13 the material on the Red Hill?
14 I believe that there were
15 samples sent overseas for
16 testing. Please advise if you
17 have copies that we can use in
18 the assessment of the hot
19 in-place review and the works
20 underway." (As read)

21 So you're copied on this
22 e-mail. Did you view this as a direction from
23 Mr. McGuire to you to search for copies of asphalt
24 testing reports that might be useful to him?

25 A. No, I did not view it as

1 a direction to me.

2 Q. Did anyone else who's
3 copied here, Mr. Oddi, Ms. Jacob, Mr. Andoga or
4 Ms. Waite, ask you to search for relevant
5 documents?

6 A. I don't think so, no.

7 Q. And did you on your own
8 initiative go looking for hard copy or electronic
9 copies of documents that might have assisted
10 Mr. McGuire?

11 A. No.

12 Q. We were talking before
13 lunch about that stack of documents that travelled
14 from Mr. Moore's office to the empty cubicle to
15 the filing cabinet. Did you turn your mind at
16 this point to -- back to that stack of documents
17 and consider whether there might be asphalt
18 testing reports in there that could be useful to
19 Mr. McGuire?

20 A. I don't recall when I
21 brought Gord's attention over to that filing
22 cabinet. I know I did, but I just don't remember
23 when.

24 Q. Can you give us any road
25 maps or signals that might -- anything that you

1 remember about when you directed Mr. McGuire to
2 that stack of documents that might help us to
3 narrow down the timeline?

4 A. It might have been one of
5 the FOIs that came in. It might have been the
6 last one, the big one, but I can't be 100 percent
7 sure on that. That's just speculation on my part.

8 Q. You mean the FOI for
9 friction testing over two years and five years,
10 that one?

11 A. It was the very large --
12 it was the last FOI we received, the Freedom of
13 Information request that requested a lot of
14 detailed information about the Red Hill. I wasn't
15 100 percent involved in that, except
16 administratively.

17 Q. Okay.

18 A. Like I said, I can't tell
19 if that's when I pointed Gord to that cabinet. I
20 don't remember when.

21 Q. Why don't I try to ask
22 some questions that might assist.

23 A. Okay.

24 Q. At some point you pointed
25 Gord to the filing cabinet that had the documents?

1 A. Hm-hmm.

2 Q. And they were in the
3 filing cabinet, but by that point they were in the
4 cubicle?

5 A. They were in the filing
6 cabinet.

7 Q. So they had been moved at
8 that point from the cubicle?

9 A. That's correct.

10 Q. And Mr. McGuire was the
11 permanent director by that point?

12 A. I believe so.

13 Q. You mentioned earlier
14 that you had to move those documents from the
15 empty cubicle because Mr. Sharma had moved into
16 that cubicle?

17 A. Yes, he was moving into
18 that cubicle.

19 Q. And you'll recall that
20 you start working with Mr. Sharma on the audit in
21 November and December. We're going to come to
22 that. Does it assist by trying to determine or
23 cast your mind back, was that before you started
24 having to deal with the audit that you directed
25 Mr. McGuire to the stack of documents?

1 A. I really don't remember,
2 I'm sorry.

3 Q. When you directed
4 Mr. McGuire to that stack of documents, did you
5 look through it?

6 A. I don't believe I ever
7 looked through the stack of documents and what it
8 held, no.

9 Q. When you directed
10 Mr. McGuire to it, did he look through the stack?

11 A. I brought him to the
12 filing cabinet drawer and he -- I left him there.
13 I walked away and went back to my desk.

14 Q. Okay. Did he ask you to
15 bring any of the documents that were in the filing
16 cabinet into his office after that?

17 A. I don't recall if he
18 asked me to bring them in or if he brought them
19 himself.

20 Q. Okay. Do you recall that
21 there was documents that were then in
22 Mr. McGuire's office instead of in the filing
23 cabinet?

24 A. I believe there was. I
25 think they were moved from the filing cabinet to

1 his office.

2 Q. Did the entire stack of
3 documents get moved out of the filing cabinet into
4 Mr. McGuire's office or was it a subset of the
5 documents?

6 A. I never went back to the
7 drawer, so I really couldn't say.

8 Q. Did you come to any
9 impression that Mr. McGuire had found any reports
10 of interest in the documents in the filing
11 cabinet?

12 A. No, I don't -- no.

13 Q. Do you remember any --
14 seeing any particular documents in Mr. McGuire's
15 office after he moved the documents or he asked
16 you to move the documents from the filing cabinet
17 to his office?

18 A. I didn't really pay
19 attention to what was there.

20 Q. I'm going to try another
21 way to see if I can refresh your memory about when
22 you brought Mr. McGuire to the filing cabinet.
23 Mr. McGuire sent an e-mail about the auditor
24 coming in to speak to staff without his knowledge
25 and he sent that e-mail on August 24. Do you

1 remember if you directed Mr. McGuire to the filing
2 cabinet before or after that e-mail?

3 A. I do not, no.

4 Q. Okay. You said that you
5 didn't really pay attention to the documents that
6 were in Mr. McGuire's office?

7 A. I didn't go through them
8 to see what was there. I just know the large
9 ones.

10 Q. Well, what were the large
11 ones?

12 A. As I had mentioned
13 before, I believe they were drawings, but I never
14 physically opened them up to look to see what was
15 inside.

16 Q. Did you see a copy of the
17 relatively large Golder report in Mr. McGuire's
18 office after you directed him to the filing
19 cabinet?

20 A. No.

21 Q. Ms. Cameron, did you have
22 a chance to review your statement of anticipated
23 evidence before you testified today?

24 A. Briefly.

25 MS. LAWRENCE: Commissioner,

1 under the rules, the statements of anticipated
2 evidence are not evidence before you but they can
3 be used with leave to attempt to draw the
4 attention of a witness to information that she
5 previously provided.

6 JUSTICE WILTON-SIEGEL: And
7 you propose to use the statement in this case?

8 MS. LAWRENCE: I do. I'm just
9 going to bring up the rules of procedure just to
10 to make sure that I'm actually quoting properly.

11 MS. TALEBI: I believe, Mr.
12 Commissioner, it has to be an issue of material
13 significance, but I'm happy for Ms. Lawrence to
14 have a look at the language.

15 MS. LAWRENCE: That was what I
16 thought the language was. I just wanted to make
17 absolutely sure that I was saying it -- using the
18 language that we have in our rules. I think that
19 Ms. Talebi is right, that that is the issue, an
20 issue of material significance. And it's my
21 submission, Commissioner, that on this area about
22 the potential discovery, including the date and
23 the identity of the discoverer of the Tradewind
24 report and the Golder report, that that is an
25 issue of material significance referable to the

1 terms of reference, and I would like leave to
2 examine Ms. Cameron on that statement of
3 anticipated evidence, but I would also like to
4 propose that even though we have not been going
5 for very long, it may make sense for
6 Ms. Cameron -- for us to take a break and for her
7 to have a chance to look at her statement of
8 anticipated evidence to refresh her memory before
9 I have to walk her through it, and that might
10 assist her and it might avoid the need to seek a
11 ruling from you on seeking --

12 JUSTICE WILTON-SIEGEL: Okay.

13 Mr. Registrar, could you put down the document on
14 the screen.

15 Ms. Talebi, do you have any
16 problem with the -- or any objection to the
17 proposal that we take a short break to allow
18 Ms. Cameron to review her statement of anticipated
19 evidence?

20 MS. TALEBI: No,

21 Mr. Commissioner, I have no objections to that.

22 JUSTICE WILTON-SIEGEL: Okay.

23 Then why don't we take -- what shall we say -- a
24 ten-minute break? Would that be acceptable?

25 MS. LAWRENCE: I'm going to

1 suggest even 15 minutes.

2 JUSTICE WILTON-SIEGEL: 15
3 minutes.

4 MS. LAWRENCE: The evidence is
5 a little long, and I'm certainly happy to direct
6 Ms. Cameron to particular pages, but she should
7 probably review --

8 JUSTICE WILTON-SIEGEL: That's
9 fine. Why don't we return then at quarter to 3.

10 MS. LAWRENCE: Thank you.

11 --- Recess taken at 2:33 p.m.

12 --- Upon resuming at 2:52 p.m.

13 MS. LAWRENCE: Commissioner,
14 may I proceed?

15 JUSTICE WILTON-SIEGEL: Yes,
16 please proceed.

17 BY MS. LAWRENCE:

18 Q. Thank you. Ms. Cameron,
19 have you had a chance to review your statement of
20 anticipated evidence?

21 A. I have. I did not have a
22 copy of it with me, but counsel for the City
23 walked me through it and -- so I have reviewed the
24 SAE via on-line, and reviewing the SAE I do recall
25 having that impression, but I do not have a basis

1 for it. I believe that was just an assumption of
2 what I thought may have happened.

3 Q. Why don't I just ask some
4 questions again, just so that the record is really
5 clear.

6 So we were talking before the
7 break about that August 30th e-mail, and you had
8 indicated that you directed Mr. McGuire to the
9 filing cabinet with the stack of documents at some
10 point after that e-mail. Is that your memory?

11 A. That sounds accurate.

12 Q. Are you able to pin down
13 any more specific detail how shortly after that
14 August 30th e-mail you directed Mr. McGuire to the
15 filing cabinet?

16 A. I can estimate maybe a
17 week, but that's just a straight guesstimate. I
18 don't recall an actual date, sorry.

19 Q. That's okay. But
20 relatively close in time, not months after -- not
21 a month after?

22 A. I don't believe so, no.

23 Q. You said before the break
24 that either he brought some or all of the stack of
25 documents to his office or he directed you to do

1 so; is that right?

2 A. That's right, or it may
3 be a combination of both of us.

4 Q. I asked you if you
5 recalled if it was all of the documents in the
6 filing cabinet or only some of them. Did
7 refreshing the SAE assist you with remembering --
8 sorry, then your response earlier today was, I
9 never went back to the filing cabinet. Did
10 reviewing the SAE assist you with refreshing your
11 memory about whether you took the entire stack of
12 documents or only part of them?

13 A. I (skipped audio) the
14 filing cabinet drawer was emptied.

15 Q. And then I asked if you
16 had come to an impression about whether
17 Mr. McGuire found any reports of interest in that
18 stack of documents when he reviewed them. Did you
19 come to any impression about that?

20 A. The impression would be,
21 as I just stated just a minute or two ago, is that
22 I believe something was found in those documents.
23 I'm not 100 percent sure that it was from that
24 stack, but it may have been.

25 Q. Okay. And when you say

1 you're not sure if it was from that stack, are you
2 referencing the Golder report or the Tradewind
3 report when you say "it"?

4 A. Yes, I am.

5 Q. So your impression is
6 that it is -- you're not 100 percent sure, but
7 it's possible that -- I'm trying to figure out how
8 to paraphrase what you said. That you believe
9 that something was found, something being either
10 the Golder or Tradewind report, were found in the
11 stack of documents? Is that your evidence?

12 A. Yes.

13 Q. After Mr. McGuire
14 reviewed that stack of documents, did you see a
15 copy of the Golder report or the Tradewind report
16 in Mr. McGuire's office?

17 A. I just don't have a
18 memory of what I saw.

19 Q. Maybe I'll take it one at
20 a time. So the Golder report is a much more
21 lengthy document, it's over a hundred pages. Did
22 you see -- and I can show you the front cover. I
23 don't know if that would refresh your memory about
24 what it looks like. Did you see the Golder report
25 in Mr. McGuire's office in hard copy after he went

1 to the filing cabinet?

2 A. It may have been there,
3 but I cannot be 100 percent sure.

4 Q. What about a copy of the
5 Tradewind report? Did you see that? Which is a
6 much slimmer document. It's an appendix to the
7 Golder report, but on its own it's only about 10
8 pages long. Did you see a hard copy of that
9 document in Mr. McGuire's office?

10 A. It's possible but I can't
11 confirm.

12 Q. Do you recall having
13 discussions with Mr. McGuire after you directed
14 him to the filing cabinet in which he conveyed
15 that he had found reports of interest?

16 A. I remember Gord saying
17 that he found something, but I don't know what he
18 actually found. He had a document in his hand and
19 he went -- and I believe he went and spoke to Dan
20 McKinnon.

21 Q. Do you remember what the
22 document in his hand looked like? Was it a bound
23 report?

24 A. I couldn't tell because
25 he had it, like, folded, so I could only see the

1 paper. It may have been a bound document but I
2 can't confirm.

3 Q. Do you think that it was
4 100 page document or a 10 page document?

5 A. I think it may have been
6 more than 10.

7 Q. When he came and said I
8 found something, I need to go and speak to Dan
9 McKinnon, was that the discussion you had with
10 him?

11 A. Not verbatim.

12 Q. But that was the gist of
13 the conversation?

14 A. Pretty much, yes.

15 Q. Do you recall that he
16 goes to speak to Dan McKinnon right away, like was
17 he walking down the hall to go find Mr. McKinnon?

18 A. I don't recall, sorry,
19 exactly what happened there.

20 Q. That's okay. Do you
21 remember where you had this conversation with
22 Mr. McGuire?

23 A. It was at my cubicle.

24 Q. Is there anything else
25 that you can remember about the timeframe between

1 directing him to the filing cabinet and when he
2 came and said, I found something? Is it the same
3 day? Is it different days?

4 A. I believe it was a
5 different day.

6 Q. How much time passed
7 between those two events?

8 A. Maybe within a week,
9 week-and-a-half.

10 Q. Okay. So just trying to
11 put the pieces of your memory together. You
12 direct him to the filing cabinet, and that was
13 sometime after August 30th; is that right?

14 A. Hm-hmm.

15 Q. But you're not sure how
16 long after? You think might have been a week?

17 A. I don't know 100 percent
18 for sure.

19 Q. And then about a week
20 after that Mr. McGuire came and said that he'd
21 found something and had to talk to Mr. McKinnon?

22 A. I believe that's right.

23 Q. Do you recall any
24 discussions with Mr. McGuire about providing a
25 copy of the thing that he found to Ms. Jacob?

1 A. No, I do not.

2 Q. Did Mr. McGuire ask you
3 to do anything with the documents that he found?
4 Photocopy them or scan them, for example?

5 A. Not that I recall.

6 Q. Not ever or not during
7 that period of time?

8 A. I don't believe during
9 that period of time, that's correct.

10 Q. Do you remember ever
11 actually handling the document that had been in
12 his hands folded over when he came and spoke to
13 you?

14 A. I may have, but since I
15 didn't see the cover I can't say for -- for sure
16 100 percent that I did. I may have, but I can't
17 confirm that.

18 Q. Registrar, could you
19 bring up OD9A, page 398.

20 Just while that's coming up.
21 Ms. Cameron, do you recall, did Mr. McGuire ever
22 -- during this period of time that we've just been
23 talking about, did he reference whether the report
24 was in draft or final?

25 A. Not to me, no.

1 Q. Do you recall him raising
2 any concerns that the draft was final and that he
3 needed to try to find a final version of the
4 report? Pardon me. That the copy he found was a
5 draft and wanting to try to find a final copy of
6 the report, any discussions about that?

7 A. I do recall -- sorry, I'm
8 just trying to think back. I cannot place the
9 timeline. It might have been around the same
10 time, but I do recall Gord wanting to reach out to
11 Ludomir for a final copy of the Golder report.
12 But I just don't know exactly when that happened.

13 Q. So still sticking with
14 this period of time, sometime after August 30th
15 when you saw the copy of the document in
16 Mr. McGuire's hand, which I think you said was
17 more bulky than 10 pages, do you recall if it had
18 a draft stamp on the pages?

19 A. The document he had in
20 his hand at that time, I could not see the front
21 page, so I can't say for sure it was the same
22 document.

23 Q. Okay. But could you see
24 that all the pages had a draft stamp on it in the
25 Golder report? And so asking about the set of

1 watermark draft rather than just like a notation
2 of a draft on the first page. Do you know what I
3 mean by watermark?

4 A. I do.

5 Q. Do you remember seeing
6 that on that document when it was in Mr. McGuire's
7 hands?

8 A. I can't recall, sorry.

9 Q. In paragraph 906 here --
10 so this is jumping forward a little in time.
11 This is January 31, 2019. Mr. McGuire e-mailed
12 you and asked, "Do you know where we found that
13 2014 Golder's report?" And then he also asked to
14 review the Golder POs.

15 Do you recall having
16 discussions with Mr. McGuire in January trying to
17 sort out where you found the 2014 Golder report?

18 A. I believe having a brief
19 conversation where he asked me that, and neither
20 of us really recall if it was in that drawer or
21 where it came from.

22 Q. When was it that you
23 learned that Mr. McGuire had a copy of the Golder
24 report with -- identifying it as the Golder
25 report, the six years post -- the six-year report?

1 When did you first learn that's what it was and
2 that's who authored it?

3 A. Maybe when Gord was
4 telling me that he needed to reach out to Ludomir.

5 Q. Did you reach out to
6 Ludomir or was Mr. McGuire saying --

7 A. No, I did not reach out
8 to Ludomir.

9 Q. So there was no direction
10 for you to reach out but he --

11 A. No, there wasn't.

12 (Speaker overlap)

13 A. I'm sorry?

14 Q. He was saying he was
15 going to reach out? Mr. McGuire was going to
16 reach out to Ludomir?

17 A. I believe his statement
18 was he just needed to reach out -- or Ludomir
19 needed to be contacted to get the final report,
20 and I do believe Gord did that.

21 Q. Okay. Registrar, can you
22 go to page 62 of OD9A. In paragraph 148, the City
23 is providing the inquiry with a copy of Dr.
24 Uzarowski's December 17th, 2015 e-mail in which
25 Dr. Uzarowski attached the Tradewind Report to an

1 e-mail. We looked at that this morning, that
2 e-mail.

3 If you could go, Registrar,
4 also to the next page, please. If you can call
5 out the snipped information in the first -- the
6 top half of page 63.

7 So this is a document --
8 you'll see if you look under Dr. Uzarowski's name
9 and then it says "to Gary Moore," and then you see
10 underneath that there's the little "i" and it says
11 "You forwarded this message on 2018-08-30 at 7:13
12 p.m."

13 So just stopping there for a
14 moment. Did you ever work until after 7 p.m. in
15 2018?

16 A. I don't recall working
17 after 7 p.m. in 2018.

18 Q. Okay. You keep fairly
19 normal business hours?

20 A. I try to. I believe the
21 latest I leave is like 6.

22 Q. Can you access
23 ProjectWise from a home computer?

24 A. No. No, I can't. In
25 2018 I had a desktop, so when I left my work

1 stayed there.

2 Q. So you'll see that little
3 line that says you forwarded this message?

4 A. Hm-hmm.

5 Q. This is the native
6 version. So it says you forwarded this message,
7 but there's no further indication of who actually
8 did the forwarding or where it was forwarded to.
9 Did you forward a copy of this e-mail to someone
10 on August 30th, 2018, at 7:13 p.m.?

11 A. Not that I recall, no.

12 Q. Would you recall if you
13 had done that?

14 A. I may have, yeah. But I
15 don't recall ever forwarding an e-mail from
16 Ludomir.

17 Q. Okay. I think you said
18 before -- if you just assume for the moment that
19 this document was located in the director's office
20 folder. In 2018, in August, who had access to the
21 director's folder?

22 A. When Gord became
23 permanent, it would have been Gord and myself.

24 Q. Anybody else?

25 A. I'm not sure if Charlie

1 does.

2 Q. Charlie Lisarella?

3 A. Yes, as the administrator
4 of the software, but I don't -- I don't know that
5 for sure.

6 Q. Sorry, I think I was
7 speaking over you. I said Charlie Lisarella, and
8 I think you said yes; is that right?

9 A. Yes, sorry. Yes, I did
10 hear you.

11 Q. No, it was my fault.
12 Thank you. You can close this down, the callout,
13 Registrar.

14 At some point, did Mr. McGuire
15 advise you that he had found a copy of the
16 Tradewind Report in electronic form in
17 ProjectWise?

18 A. I don't -- I do not
19 recall that, no.

20 Q. You don't recall him
21 telling you that he found a copy?

22 A. He may have, but I do not
23 recall him doing that, no.

24 Q. Registrar, can you go to
25 page 138 and 139 of this document, please. If you

1 look at the bottom of 138, paragraph 341, there is
2 an attachment to an e-mail that Mr. McGuire sends
3 to the legal department, and one of those
4 attachments is referenced in this paragraph. It's
5 "Red Hill review GMC summary.doc." And it has
6 some hyperlinks to some articles, and it has been
7 reproduced in our OD. Registrar, can you now
8 bring up 139 and 140 together.

9 Ms. Cameron, this isn't the
10 entirety of this summary, but just stopping here
11 for a moment. Did you assist Mr. McGuire in
12 preparing this summary?

13 A. No.

14 Q. Do you recall reviewing a
15 copy of this summary? This one is from November
16 of 2018.

17 A. If anything, it would
18 have just been formatting, but I would have had no
19 input to content.

20 Q. Okay. At the top of
21 page 140 -- Registrar, can you call out the first
22 paragraph. Actually, sorry, Registrar, can you
23 close that down and can you call out the bottom
24 half of page 139. The bottom half. That's
25 perfect. Thank you.

1 So Mr. McGuire says:
2 "In late September, I
3 uncovered the 2013 Tradewind
4 friction report done by
5 Golders in one of our document
6 management systems. It was
7 attached to an e-mail in our
8 document management system,
9 ProjectWise." (As read)
10 And then there's an audit
11 trail from ProjectWise that shows that Mr. McGuire
12 opened that document where it says checked out on
13 September 26th, and then checked in also on
14 September 26th. Do you see that there?

15 A. Hm-hmm.

16 Q. You can close that down,
17 Registrar. Now if you can go to page 140. The
18 summary goes on to say:

19 "After this discovery either
20 myself or Diana found the 2014
21 Golder report that outlined
22 the rest of the condition
23 assessment for the RHVP. The
24 Golder report attached the
25 Tradewind Scientific report as

1 an appendix."

2 And you can close that down.

3 Ms. Cameron, does that provide
4 you with any further insight into whether you knew
5 from Mr. McGuire that he'd found an electronic
6 copy of the Tradewind Report in ProjectWise?

7 A. It's possible I knew at
8 the time, but I do not recall.

9 Q. When you saw Mr. McGuire
10 with that document in his hands and he said he was
11 going to talk to Mr. McKinnon, did he say anything
12 about having found an electronic version of a
13 report of relevance?

14 A. I don't believe we had a
15 longer conversation than him telling me that he
16 needed to talk to Dan.

17 Q. Registrar, can you go to
18 page 130 of this document, please. Thank you.
19 And, sorry, just before we turn this, I'm going to
20 ask you some questions about the FOI. But before
21 that, is there anything else, any other evidence
22 you want to provide to the inquiry about either
23 the Golder report or the Tradewind report and when
24 they were first discovered?

25 A. I can't think of anything

1 right now.

2 Q. In November 2018,
3 November 8th, the City received an FOI that was
4 about, you'll see in paragraph 115 (sic), access
5 to reports, memos, drafts, correspondence about
6 friction testing in the last five years, and
7 reports, memos or correspondence about asphalt or
8 pavement testing assessments or plans for the last
9 two years.

10 So I think you said before
11 that you remembered this. Is this the one -- you
12 said there was one that -- that was the one you
13 were talking about?

14 (Speaker overlap)

15 A. That's the one, yes.

16 Q. And just going back one
17 last time to the hard copy of the Golder report,
18 in reference to this date, November 8th, do you
19 recall whether you directed Mr. McGuire to the
20 filing cabinet before the City received a copy of
21 this FOI or after?

22 A. I can't say for certain.

23 Q. Who had primary
24 responsibility within engineering services for
25 collecting documents that might be responsive to

1 this FOI?

2 A. So to this FOI, Jasmine
3 Brown was put in charge of collecting the
4 documentation.

5 Q. And is that unusual to
6 have a communications person be put in charge of
7 collecting documents?

8 A. That was at the direction
9 of Dan McKinnon, the general manager.

10 Q. I understand. That
11 wasn't my question.

12 A. I don't know if that's a
13 normal protocol, sorry.

14 Q. That's all right. Have
15 you had to deal with many FOIs before this one?

16 A. This, I believe, was the
17 fourth or fifth FOI that we had gotten. It may
18 have been around the same year or the same time or
19 within a year-and-a-half where we received
20 multiple FOIs regarding the Red Hill. This, I
21 believe was the -- pardon me -- the last one and
22 it was the largest one looking for the most
23 documentation.

24 Q. I know there are a couple
25 more that come, so I can take you to those just to

1 maybe refresh your memory on the timeline of this,
2 but in those other FOIs that you recall around
3 this time, was Ms. Graham or another
4 communications person the primary person to
5 collect documents?

6 A. Sorry, this is the one
7 that sticks out most in my mind because it was the
8 largest one and it was my -- I gave her
9 administrative support in getting the materials
10 together. I don't know who was involved with the
11 other ones.

12 Q. Okay. So this is
13 November. Do you know where that pile of
14 documents that was in the filing cabinet, where
15 that stack of document is by November?

16 A. I'm really not good with
17 dates. They may still have been in Gord's office.
18 There was a small filing cabinet that we ended up
19 moving it there to, but I believe that happened
20 around the inquiry being done.

21 Q. So the best of your
22 recollection is that they were still in
23 Mr. McGuire's office?

24 A. That's only an
25 assumption.

1 Q. Who -- did anybody review
2 those documents to assess whether they would be
3 responsive to the FOI?

4 A. I was not involved, so I
5 can't say.

6 Q. What was your
7 involvement? You said you gave administrative
8 support to Ms. Graham. What was your involvement
9 in this FOI?

10 A. So my involvement was
11 ordering her the supplies. I ordered her, I
12 believe it was two 5-inch binders, I ordered her
13 dividers. If she needed something scanned, I
14 scanned it for her. If she needed something
15 copied, I copied it for her. And that's pretty
16 much the extent. I do not have the authority to
17 give -- I wasn't in the position of making a call
18 of what goes into an FOI and what doesn't.

19 Q. I wasn't suggesting that
20 you did.

21 A. Okay.

22 Q. I just want to know if
23 you have any personal knowledge, direct knowledge,
24 of whether anybody looked at the stack of
25 documents in Mr. McGuire's office as part of the

1 assessment and collection of information for the
2 FOI?

3 A. I do not recall.

4 Q. I think you just said
5 just a few minutes ago that at some point the
6 stack of documents got put into a smaller filing
7 cabinet and that that happened sometime around the
8 inquiry?

9 A. I believe that's when --
10 it was when we were told that the inquiry was
11 going to happen is when we were asked to lock
12 documents up.

13 Q. Up to that point, is it
14 your understanding that they were in Mr. McGuire's
15 office?

16 A. It's an assumption. I
17 can only....I can't be 100 percent certain on
18 that.

19 Q. Registrar, can you go to
20 page 129, please. Sorry, can you go to 131,
21 please. At the top of this page, paragraph 317,
22 you forwarded the request, that is the FOI
23 request, to Mr. Moore asking him if he could point
24 you in the right direction. Did you do that on
25 your own initiative, reaching out to Mr. Moore?

1 A. I don't believe so. I
2 believe if Gord was not in the office that I would
3 have text him, but no, I normally do not do things
4 on my own initiative like that.

5 Q. Just stopping there. I
6 think you mentioned texting a number of times.
7 Did you text regularly with Mr. McGuire?

8 A. As needed.

9 Q. What about Mr. Moore?

10 A. Rarely.

11 Q. Why were you reaching out
12 to Mr. Moore to point you in the right direction
13 in respect of the FOI?

14 A. Again, because of his
15 knowledge of the Red Hill, his involvement with
16 the Red Hill. He a lot of times was the go-to
17 person to point you in the right direction.

18 Q. Okay. I think your
19 evidence just a few moments ago is that you helped
20 Ms. Graham with scanning documents as needed; is
21 that right?

22 A. That's correct.

23 Q. Registrar, can you go to
24 page 150, please. At 353, November 13th, Ms.
25 Wunderlich sent an e-mail to Mr. McGuire, copied

1 to you with a scanned copy of the Golder report.

2 Do you recall if you asked Ms. Wunderlich to do

3 so?

4 A. I don't believe I asked
5 her, no.

6 Q. You see in the next
7 paragraph it looks like once you receive this
8 e-mail it immediately got forwarded to Cathy
9 Bojeski, another administrative assistant, and
10 that it was automatically forwarded. Is that your
11 practice when you're out of the office, to forward
12 your e-mails to someone else in the office?

13 A. I believe I was in the
14 office, but I believe I would not have forwarded
15 that to Cathy Bojeski without being directed to do
16 so.

17 Q. I understand, but if you
18 see in that paragraph it says the document
19 properties indicate that your e-mail was
20 automatically forwarded to Ms. Bojeski. So I
21 don't think you actually did anything. It seems
22 like it was an automatic forward.

23 So my question was do you --
24 is it your practice to forward your e-mails or set
25 up an auto forward of your e-mails when you're out

1 of the office?

2 A. I don't believe that's
3 correct.

4 Q. Okay. Do you think that
5 you actually forwarded the e-mail manually?

6 A. I do.

7 Q. Do you know why you did
8 that?

9 A. I would have done that at
10 the direction of Gord.

11 Q. Okay. Do you remember
12 receiving that direction from Mr. McGuire?

13 A. I don't remember
14 receiving it, but that's the only way I would have
15 forwarded it.

16 Q. Just going back to just
17 your general practice. If you happened to be out
18 of the office that day, do you have a practice of
19 auto forwarding your e-mail inbox to a colleague?

20 A. No. My practice is that
21 my out of office -- if I'm out of the office, is
22 to put an out of office on, a message on, stating
23 if their matter is urgent, who to contact.

24 Q. Registrar, can you go to
25 page 177, please. The inquiry has received some

1 documents that relate to a meeting on December 3rd
2 between you, Mr. McGuire and Byrdena MacNeil. Do
3 you remember attending that meeting? I'm sorry, I
4 should have directed you. It's 424, in case
5 you're reading.

6 A. Oh, 424. Sorry.

7 Q. No, that's all right.

8 I'm sorry I didn't direct you to it. Do you
9 remember attending a meeting with Ms. MacNeil,
10 Mr. McGuire and yourself?

11 A. Yes.

12 Q. Registrar, can you go to
13 the next page, please. You can leave this up, but
14 could you also call up HAM64179. I'm going to
15 come back to the notes on the left-hand side, but
16 just for the moment here's an agenda for Monday,
17 December 3rd, is the title. Did you prepare this
18 agenda?

19 A. I don't believe I did,
20 no.

21 Q. You can close that down.
22 Registrar, we have a couple of sets of notes from
23 this meeting. This is the first set. Registrar,
24 can you bring up the next page as well. So these
25 are fairly lengthy. Do you recall if you had your

1 laptop with you at this meeting?

2 A. No, I do not. It's
3 possible but I do not recall.

4 Q. Do you remember the
5 purpose of your attendance at this meeting?

6 A. My purpose would be to
7 action or note action items for Gord.

8 Q. Were you responsible for
9 taking detailed notes of the meeting as well?

10 A. That would have been part
11 of it, yes.

12 Q. Do you tend to take -- by
13 practice, do you tend to take notes on a laptop or
14 do you tend to take them in handwriting?

15 A. It would have been a
16 laptop.

17 Q. So there's these notes,
18 there's a few different versions of these notes.
19 And then, Registrar, can you leave up 178 and then
20 can you bring up 180 on the right-hand side.
21 There's a second set of notes that contain similar
22 content, with a little less formatting, and you
23 are identified in the metadata of that document as
24 the author.

25 A. Hm-hmm.

1 Q. These look -- the content
2 overlaps in some places. Can you recall, sitting
3 here today, if one or both of these sets of notes
4 were created by you?

5 A. It's possible I created
6 both. I obviously did the ones on the right.

7 Q. Do you recall taking the
8 ones on the right and then formatting them into a
9 little bit more of a clearer formatting narrative
10 for the ones on the left?

11 A. It's possible, but I
12 don't 100 percent recall doing anything like that,
13 but it's quite possible that I would have drafted
14 notes and then given them to Gord to review.

15 Q. Do you recall
16 transcribing handwritten notes from Mr. McGuire?

17 A. I did that a couple of
18 times. If this was an instance of that, I do not
19 recall.

20 Q. Registrar, can we go to
21 page 182, please. The inquiry has received a
22 recording of this meeting. Did you record this
23 meeting?

24 A. It's a possibility that
25 either Gord or myself recorded it.

1 Q. You don't remember who?

2 A. We were experimenting, we
3 were learning a shared OneNote, and I recall
4 having a conversation with Gord saying that you
5 can record meetings, but who actually pushed the
6 record button I, in truth, don't remember.

7 Q. So when you say it was a
8 OneNote, does that --

9 A. Sorry, OneNote is a
10 shared software, Microsoft Office software, where
11 it's like a binder with dividers and you can
12 invite somebody and share that with them.

13 Q. Is that accessible on a
14 laptop, or did you also have it on your phone?

15 A. It's on the laptop. It's
16 on Gord's phone, and I believe at one time I did
17 have it on my phone.

18 Q. Sitting here today, you
19 cannot recall who pressed the record button on
20 what device?

21 A. No, but if I did, it
22 would not have been at my own accord.

23 Q. I understand. So is that
24 for you to say that Mr. McGuire directed you to
25 record?

1 A. That would be the only
2 way I would do it.

3 Q. Okay. He was aware that
4 the meeting was being recorded?

5 A. I would say yes.

6 Q. What about Ms. MacNeil?
7 Was she aware that the meeting was being recorded?

8 A. I don't recall it being
9 mentioned in the meeting and I don't know if she
10 knew after the fact.

11 Q. Okay. You said that you
12 remembered a conversation with Gord. What was the
13 purpose of recording the meeting?

14 A. I believe it was just to
15 test it out because we were both just learning
16 about OneNote.

17 Q. Registrar, could you
18 bring up 183, please. The overview document
19 contains excerpts of the transcription of that
20 meeting. The meeting appears to address the FOI
21 that we were just looking at earlier today. Is
22 that your recollection as well?

23 A. Yes.

24 Q. There's a fair bit of
25 back and forth between Mr. McGuire and the person

1 you've identified as speaker 2, because that
2 person doesn't identify themselves. Registrar,
3 can you bring up the next page as well, so we have
4 183 and 184 together. Did you view your role to
5 be an active participant in this meeting?

6 A. Not at all.

7 Q. Registrar, can you go to
8 page 187. I'm not going to ask you questions
9 about the entirety of this meeting, but there was
10 a back and forth where there's discussions about
11 the three Red Hill reports that are going as
12 business list items. That's right at the top of
13 this page. Then Mr. McGuire says:

14 "Why don't we follow up with
15 an agenda for the 14th?
16 Here's my concern, we're going
17 to have a collision of us,
18 coming back let me just --"
19 And then you say:
20 "So we're doing the FOI at the
21 same time all these OBL items
22 are going about, about
23 safety." (As read)

24 And then speaker 2 says "Oh,"
25 and then you say "on the Red Hill," and then

1 speaker 2 says:

2 "How do you stay quiet? Is
3 this where we're going with
4 it? How do you stay quiet
5 about this FOI thing without
6 putting them on notice about
7 all these?" (As read)

8 Just stopping there. Did you
9 personally have concerns about the confluence of
10 timing of these reports going to the public works
11 committee while this FOI was outstanding?

12 A. I didn't personally have
13 concerns. I was just making sure, as
14 administrative support to Gord, that I was making
15 him aware that these were all going at the same
16 time, and I just wanted to make sure that that's
17 what he wanted to do.

18 Q. Why did you think it was
19 important to make sure that he was aware about the
20 overlap in time of these things all going at the
21 same time?

22 A. A lot of it has to do
23 with the workloads and deadlines that have to be
24 met to do both an FOI and a report.

25 Q. So your issue was one of

1 workload?

2 A. Pardon me?

3 Q. Your issue was one of

4 workload?

5 A. On Gord's part as the
6 director of reviewing the FOI, of reviewing the
7 reports, the draft reports, to meet the deadlines
8 to respond back. That would have been my concern.

9 Q. Okay. I'm going to turn
10 now to the value for money audit. It's page 62.
11 Registrar, can you put up 61 and 62 together,
12 please. No, I am sorry, can you put up 63 and 64
13 together, please. Thank you. That's where I want
14 to be.

15 I mentioned a little earlier
16 today, Ms. Cameron, a reference to August 24th and
17 the e-mail that -- e-mails that were exchanged
18 between Mr. Pellegrini and Mr. McGuire about the
19 value for money roads question. When did you
20 become aware that the auditor was doing a value
21 for money question on roads audit?

22 A. I would have been advised
23 by Gord at the time that he found out.

24 Q. Okay. Registrar, can you
25 go to page 66, please. You'll see at 153,

1 Mr. McGuire forwarded an e-mail to Ms. Waite, Mr.
2 Oddi, Ms. Jacob, Mr. Lamont, Mr. Norman, with a
3 copy to you. This is all about how to keep
4 documents -- how to reasonably get documents to
5 the auditor, and he says:

6 "Please read below, confirm
7 that you've read by replying
8 to myself and Diana. As well
9 somehow the original message
10 got to Gary Moore. Do not
11 forward this message beyond
12 the this circulation list."
13 Do you recall having -- and

14 then it goes on:

15 "My main concern is the
16 auditor was on the floor
17 talking to staff about our
18 programs without my office
19 having any knowledge of this
20 inquiry."

21 So starting there. Did you
22 talk to the auditor, Mr. Pellegrini, in August of
23 2018?

24 A. No, Mr. Pellegrini never
25 approached me about the audit.

1 Q. Do you have any insight
2 into what Mr. McGuire is referencing here, "the
3 original message got to Gary Moore"?

4 A. No.

5 Q. Registrar, can you go to
6 page 158. I'm sorry, 152. At the very bottom, on
7 November 16th you write to Mr. Moore, copying
8 Mr. McGuire and Mr. Sharma, and say:

9 "I've been tasked with
10 summarizing Golder's Category
11 12 work for the audit from
12 2013 to present."

13 And you ask for the value of
14 assignments Excel spreadsheet. So I just wanted
15 to direct you to that so I can ask a more broad
16 question. What was your role on the value for
17 money audit?

18 A. Strictly administrative.
19 Not determining, not deciding what goes into an
20 FOI and what doesn't, or what goes into an audit
21 and what doesn't. If I'm asked to gather
22 information, that's what I do. I present it to
23 the director, and that's my limit of what I do.

24 Q. Thank you. I know it's
25 been a long day and I feel like you've given that

1 evidence a few times about how limited your scope
2 is, in your view. My question is really what were
3 you doing on the day-to-day? Can you explain in a
4 bit more detail rather than just saying it was
5 just administrative?

6 A. So with Gord it was
7 watching his e-mails --

8 Q. No, I mean on the value
9 for money.

10 A. On the value for money.

11 Q. Yeah.

12 A. I didn't really have any
13 day-to-day for that. The value for money was
14 assigned to Dipankar, and I was to help him when
15 he needed it, administratively. Sorry, I did not
16 have any day-to-day responsibility to that.

17 Q. So you were assigned to
18 help him when he needed it administratively?

19 A. Correct.

20 Q. What did he need you to
21 do administratively and what did you do?

22 A. I would have -- same as
23 any other -- any other, I would -- if he needed me
24 to reach out to staff for certain information, if
25 he needed something copied, if he needed something

1 scanned, if he needed a meeting set up. If he
2 needed, like, a binder or something put together
3 or if he needed documents scanned, that would be
4 my role.

5 Q. Registrar, can you go to
6 page 200, please. We're at 459, so we're in
7 December, and Mr. Sharma e-mailed Mr. McGuire
8 regarding a catalogue that you and he had
9 assembled, and he advised that you were missing
10 some documents. Registrar, could you bring up
11 HAM35732, please. If you can bring up the next
12 page as well. This is over two pages, but I think
13 that's just the way the Excel spreadsheet is
14 coming out. Do you remember working on this Excel
15 spreadsheet?

16 A. I don't believe I worked
17 on that document.

18 Q. This was something Mr.
19 Sharma was compiling?

20 A. I believe this was his
21 working document.

22 Q. Registrar, you can close
23 that down. On December 4th, Mr. Pellegrini came
24 to the offices, the engineering services offices
25 to review a document. Do you remember that?

1 A. I do. I don't recall the
2 year.

3 Q. 2018.

4 A. Thank you.

5 Q. Do you recall what
6 document Mr. Pellegrini was coming to review?

7 A. He was coming to review a
8 report that had a redacted section that was sent
9 to them, and my instruction from Gord or my -- the
10 comment from Gord was that Domenic is coming to
11 look at the document that was redacted and he is
12 only to look at it, was the wording I got.

13 Q. I'm going to come to that
14 in a moment. Let's talk a moment about the
15 redacted document. Registrar, can you bring up
16 OD9A, page 169.

17 This is a few days before. On
18 November 27th, Mr. Sharma e-mailed Mr. Pellegrini
19 and said:

20 "The Red Hill report that
21 redacted as advised by legal."

22 (As read)

23 "The complete report and other
24 related documents are
25 currently being reviewed by

1 legal. Once this review is
2 complete, we will a provide
3 complete/non-redacted package
4 for your review."

5 Were you responsible for the
6 administrative task of actually redacting the
7 document in question?

8 A. Yes, I was.

9 Q. On whose direction did
10 you complete the redactions?

11 A. Mr. McGuire.

12 Q. Did he signal for you
13 which parts of the report should be redacted?

14 A. Yes, he did, and it was
15 the friction testing.

16 Q. Registrar, can you bring
17 up RHV 1010, please. Ms. Cameron, we've talked a
18 few times, but I'm not sure I've actually shown
19 you a copy of the Golder report as we call it.

20 So you remember -- is this
21 document that was redacted? Why don't we click
22 through it a little.

23 A. Yes.

24 Q. Registrar, can you click
25 through -- there we go. So that's the table of

1 contents, introduction. These are all draft.

2 There we go. You can stop there.

3 A. That would be it.

4 Q. It was Mr. McGuire who
5 instructed you to redact the redacted section
6 right there?

7 A. That's correct.

8 Q. This document, the Golder
9 report, had the Tradewind report as an appendix.
10 Did Mr. McGuire instruct you to do anything in
11 respect of that appendix before this was sent to
12 Mr. Pellegrini? I can tell you it's not in this
13 redacted version of the document.

14 A. Well, I know I was just
15 asked to redact that portion of the document. But
16 I had nothing to do with the appendices, I don't
17 believe. I don't recall getting any instruction
18 for the appendices.

19 Q. No instruction to remove
20 the appendices?

21 A. No.

22 Q. Okay. And just for
23 comprehensiveness, Registrar, can you go to the
24 next page. This section was also redacted. That
25 was also under Mr. McGuire's direction?

1 A. That redaction I do not
2 recall.

3 Q. Okay.

4 A. The friction one, I do.
5 But if this is still friction, it's a possibility
6 that yes, I would have redacted that also. Under
7 the direction.

8 Q. Do you know how the
9 redacted version made its way over to Mr.
10 Pellegrini?

11 A. As I recall, because
12 there was so many documents, is that they were
13 scanned and Mr. Pellegrini gave a link, and the
14 documents were then uploaded, I believe it was
15 under an audit file on the corporate service --
16 the corporate drive.

17 Q. And you did that
18 uploading?

19 A. I believe I did, yes.

20 Q. So turning now to
21 December 4th. I think you said earlier that you
22 understood that Mr. Pellegrini could come and look
23 at the document but not take it with him; is that
24 right?

25 A. That was my understanding

1 when -- the comment to me was, he is only to look
2 at it. That was my perception, is that he was
3 only to look at it and not do anything else with
4 it.

5 Q. Did you understand that
6 part of the report he was going to be looking at
7 was the Tradewind report?

8 A. If I recall correctly, it
9 was actually open to the page that was redacted in
10 what was given to him.

11 Q. What happened when Mr.
12 Pellegrini arrived and looked at the -- and
13 accessed that document that was open for him?

14 A. Mr. Pellegrini went into
15 Gord's office. I was sitting at my desk, which is
16 right outside. Dipankar was in the cubicle beside
17 me and Mr. Pellegrini went in. He was not in
18 there that long before he came out with the piece
19 of paper and said, I'm taking a photocopy of this.

20 Q. Was it just one piece of
21 paper or was it the entire report?

22 A. It may have been more
23 than one piece of paper, but I don't believe it
24 was the whole report, no.

25 Q. Okay. Did he leave with

1 that piece of paper or did he make a copy of that
2 piece of paper?

3 A. He made a copy. He
4 actually stated he was going to make a copy.

5 Q. Did you assist him with
6 making a copy?

7 A. No, I did not.

8 Q. Where was Mr. McGuire at
9 the time?

10 A. Mr. McGuire was up on the
11 fourth floor in a department leadership team
12 meeting.

13 Q. Did you update him about
14 Mr. Pellegrini taking a photocopy of one or more
15 pages from the report?

16 A. I did. I had texted him
17 because based on how he said he is only to look at
18 it, all I did was I texted Gord and said Domenic
19 was here and he took a copy. And within minutes
20 Gord was -- he left the DLT and came downstairs.

21 Q. What was his reaction to
22 your update that Mr. Pellegrini had taken....

23 A. He was upset. He was
24 very upset.

25 Q. Do you know why he was so

1 upset?

2 A. What I recall him saying
3 is that wasn't the agreement. I do not know what
4 he meant by that. I was in no conversations where
5 any agreement was made, so I don't know. I can't
6 give you any context to why that comment was made.

7 Q. Did you have any other
8 discussions with Mr. McGuire about Mr. Pellegrini
9 taking a copy of the report after you -- after he
10 initially came down?

11 A. Just apologizing
12 because -- like, both Dipankar and I apologized
13 because we knew it up upset him, but it's not in
14 my realm of authority to try and stop him, so I
15 did the next thing I could, which is advise my
16 director.

17 Q. Registrar, can you go to
18 263, please. I'm sorry, of OD9A.

19 MS. TALEBI: Ms. Lawrence, I'm
20 sorry, I don't want to interrupt but,
21 Mr. Commissioner, I was wondering, and I know it's
22 been a long day and we have to take a bit of a
23 detour earlier to refresh Ms. Cameron's memory,
24 but just in fairness to her I'm wondering if she
25 needs a break and if you would consider maybe just

1 taking a brief break to give her a little bit of
2 time to rest.

3 JUSTICE WILTON-SIEGEL: Yes,
4 Ms. Lawrence, how much time do you expect you will
5 require?

6 MS. LAWRENCE: I expect I'll
7 be another ten minutes or so.

8 JUSTICE WILTON-SIEGEL: Well,
9 then why don't we take -- let's take a ten-minute
10 break. We're obviously going to be running over a
11 bit tonight. Let's take a ten-minute break and
12 return at 10 past 4.

13 MS. LAWRENCE: Thank you.
14 Could I have counsel in a room? I just want an
15 update on timing.

16 --- Recess taken at 3:59 p.m.

17 --- Upon resuming at 4:10 p.m.

18 MS. LAWRENCE: Thank you,
19 Commissioner, may I proceed?

20 JUSTICE WILTON-SIEGEL: Yes,
21 please do.

22 BY MS. LAWRENCE:

23 Q. Ms. Cameron, before we
24 leave the issue of that redacted report that I
25 just took you to, do you know did Mr. Sharma

1 review a copy of the redactions after you made
2 them?

3 A. I don't know if he
4 reviewed the redactions, but he was assisting me
5 to ensure that it was redacted because I was
6 having issue when I was redacting it that the
7 wording underneath was still coming through. So
8 he was there when I was doing it. Whether he
9 reviewed the content of what was being redacted, I
10 could not tell you.

11 Q. He was certainly aware
12 that there was redactions and that a redacted
13 report was going over to Mr. Pellegrini; is that
14 right?

15 A. That's correct.

16 Q. Registrar, could you pull
17 up HAM35732, please. Ms. Cameron, you spoke -- I
18 took you to this document before. The Golder
19 report and the Tradewind report are not listed on
20 this spreadsheet. I think your evidence earlier
21 was that this was Mr. Sharma's working document;
22 is that right?

23 A. That's correct.

24 Q. Do you have any knowledge
25 about why this version, which is from November --

1 pardon me, early December, was not -- did not
2 include the Golder report or the Tradewind report?

3 A. I'm sorry, I could not
4 give you content to why that happened.

5 Q. Registrar, can you bring
6 now up HAM64380 in native, please. Do you need
7 that again, Registrar? HAM64380. Can you try to
8 make it a little larger so we can see. Thank you.

9 So this is a later version of
10 that document I think we were looking at, it has
11 the same format. You'll see at row 39, which is
12 almost at the bottom now, it says "Red Hill Valley
13 Parkway performance review after six years in
14 service." Do you see that?

15 A. Line 39?

16 Q. Yes. Well, it's line 42
17 if you're looking at the far, far left and then
18 line 39 and it says "performance"?

19 A. Okay, yes, I do see that.

20 Q. Did you add that line to
21 Mr. Sharma's spreadsheet at any point?

22 A. I don't recall adding
23 anything to this spreadsheet.

24 Q. You can close that down,
25 Registrar. Can you go to OD9A, page 263, please.

1 Can you bring up 264 as well. At the very bottom
2 of 263 there's a reference to notebooks about a
3 meeting with Mr. McGuire on December 18, 2018.
4 And I think you had dealt with the calendaring and
5 the setting up of that meeting. Did you attend
6 that meeting between Mr. McGuire and
7 Dr. Uzarowski?

8 A. No. For content, I don't
9 believe I ever attend a meeting with Dr. Uzarowski
10 where he was in attendance.

11 Q. Registrar, you can close
12 that down. Ms. Cameron, there were two closed
13 session meetings of council and then of GIC on
14 January 23rd and February 6, 2019. Were you
15 involved at all in the preparation for materials
16 for those meetings?

17 A. No.

18 Q. February 6 meeting, the
19 Tradewind report was provided to GIC. Did
20 Mr. McGuire advise you in advance that the
21 Tradewind report was going to be provided to
22 council?

23 A. He may have said it in
24 passing.

25 Q. How far in advance of

1 February 6, if you recall?

2 A. Maybe -- I couldn't give
3 an exact timeline, but it was before the meeting.
4 It could have been a week or two, maybe.

5 Q. Registrar, can you bring
6 up RHV-890, please. Can you bring up the next
7 page of this as well.

8 Ms. Cameron, in 2019, March,
9 the City auditor and the mayor received an
10 anonymous letter. Have you seen this letter
11 before?

12 A. I have.

13 Q. Did you see it before you
14 started preparation for your involvement in the
15 inquiry?

16 A. No, I did not.

17 Q. Are you the author of
18 this letter?

19 A. No, I am not.

20 Q. Thank you, Registrar, you
21 can close that down. I'm just taking a moment to
22 look at my notes.

23 Thank you, Ms. Cameron, I know
24 it's been a long day. As I understand, and maybe
25 we should just confirm, the MTO does not have any

1 questions for this witness.

2 UNIDENTIFIED SPEAKER: I can
3 confirm the MTO does not have any questions, thank
4 you.

5 MS. LAWRENCE: Thank you. And
6 understand that Ms. Roberts has some brief
7 questions on behalf of Golder.

8 MS. JENNIFER ROBERTS: We do.

9 JUSTICE WILTON-SIEGEL: Okay.
10 Please proceed, Ms. Roberts.

11 MS. JENNIFER ROBERTS: Thank
12 you, Commissioner.

13 EXAMINATION BY MS. JENNIFER ROBERTS:

14 Q. Ms. Cameron, I'm Jennifer
15 Roberts and I'm counsel for Golder. I do have a
16 number questions. I will try to be brief. I
17 recognize it's a long day for you.

18 I want to go back in time to
19 the events around the friction testing that was
20 done in the end of 2013 and the Golder report
21 2014.

22 Registrar, may I please ask
23 you to turn up overview document 683, image 83.
24 Can you please turn up 216. Just for context, one
25 of the things that happens here is that Tradewind

1 does the testing on November 20th and then they
2 are slow in actually getting the testing results,
3 and there's a number of follow-ups. On January 7,
4 as you see, Dr. Henderson, that's Vimy Henderson,
5 e-mailed Mr. Taylor of Tradewind and asked him for
6 his anticipated timeline for providing the
7 Hamilton test results. Mr. Taylor responded that
8 day and said he was expected to have the data
9 analyzed and the report ready within about a week.
10 Dr. Henderson responded that she understood but
11 the client was starting to bug you -- or, sorry,
12 bug me.

13 Was it part of your job to
14 follow up so that Mr. Moore received information
15 that he was looking for?

16 A. When he -- pardon me.
17 When he asked me to, but it's not something that I
18 would take on my own accord to constantly keep
19 following up with somebody unless he asked me to.

20 Q. If we -- there's another
21 reference if we go forward on to image 87 at 230.
22 You were taken to this reference this morning by
23 commission counsel. It's January 24.

24 Dr. Uzarowski wrote again to Mr. Taylor saying:

25 "Good morning, I received a

1 message from my client this
2 morning. He needs friction
3 testing this morning."

4 Would that have been you
5 chasing Dr. Uzarowski for the friction testing
6 results or would that have been Mr. Moore?

7 A. It says he needs the
8 friction testing, he has a meeting.

9 Q. Okay. So in this case it
10 probably was him directly?

11 A. I believe this would have
12 been Mr. Moore.

13 Q. Can we please jump ahead
14 in the chronology to the follow-up to -- this is
15 what we have been calling as the Golder pavement
16 evaluation work that was done 2017, early 2018.

17 Registrar, can you please turn
18 up overview document 8, image 64. This time it
19 looks as though it's you following up. Can we
20 please pull out paragraph 172.

21 Just for context, if I can --
22 so again there's been testing results, and again
23 there's testing in particular for the polished
24 stone value test that's been delayed. And I don't
25 think anything turns on the details of that

1 report, so let me just go to this paragraph. This
2 is the same day -- actually, can we just go back
3 to the prior paragraph so we can put it in
4 context. I've got it February 9 here. Yeah, 170,
5 February 9.

6 This is Dr. Uzarowski
7 contacting James Ward, who is the testing company
8 in Ireland, and asking for the PSV. And,
9 Registrar, you can go forward to 172 again.

10 So just for the context of the
11 date, the same day, February 9, you e-mail
12 Dr. Uzarowski regarding the expected receipt of
13 the test results, and the first passage is about
14 an invoice, and then it said:

15 "P.S. Gary would like to know
16 where the test results are.
17 Please advise."

18 Again, this is consistent with
19 your evidence that if Gary asked you to follow up,
20 you would follow up?

21 A. That's correct.

22 Q. Here you are following
23 up. Let's go forward to February 13, 2018, that's
24 overview document 8, page 65, paragraph 177.
25 Sorry, I've got to go back and get the date. 174

1 I guess is the date, February 12, 2018. There's a
2 further e-mail to Mr. Ward, and then 177 -- sorry,
3 Registrar, to make you jump around. If we can
4 please call that up.

5 Dr. Uzarowski replied the same
6 day, being February 13, 2018. Sorry, we've got to
7 go to 176. Forgive me. Registrar, can you please
8 call up 176. There we are. Thank you.
9 February 13.

10 Ms. Cameron e-mailed
11 Dr. Uzarowski regarding the status of the 2017
12 Golder pavement evaluation results, writing:

13 "I know he's going to ask in
14 follow up to your e-mail.
15 When can he expect the
16 results?"

17 So here it looks as though
18 you're anticipating that Gary is going to ask and
19 so you're taking the initiative to follow up
20 directly with Golder. Do I have that right?

21 A. That's a possibility,
22 yes.

23 Q. Just as you said, you
24 were asked this morning that you wouldn't have
25 followed up with Dr. Uzarowski without being asked

1 by Mr. Moore to do so. I hear that evidence. And
2 there are a number of instances here where you are
3 following up. I take it it was typical that when
4 Mr. Moore wanted something, that sometimes he
5 would follow up and sometimes you would follow up.
6 That's the case?

7 A. That sounds correct.

8 Q. And if you were asked to
9 follow up, you would do so?

10 A. That is correct.

11 Q. Thank you. I believe
12 that Mr. Moore -- he described himself in his own
13 testimony as direct. Would that be consistent
14 with your assessment of his demeanor? You're
15 nodding. Do you agree with that?

16 A. I'm sorry, I'm just
17 shaking my head.

18 Q. Hard for the court
19 reporter to catch that. If you wanted a
20 deliverable, he would be direct in asking for it,
21 wouldn't he?

22 A. If he wanted -- yes, I
23 believe he would be direct. That was -- that was
24 the way he was, yes.

25 Q. Thank you. I'm going to

1 go onto another topic. Registrar, you can take
2 that down. Thank you.

3 You were taken to e-mail
4 instructions about closing down the purchase order
5 for the pavement evaluation work. So that's
6 April 17, 2014. Registrar, can you please go to
7 overview document 6, image 109, and I think it's
8 paragraph 297.

9 You remember, Ms. Cameron,
10 this morning you were taken to some documentary
11 evidence in which you write that you spoke with
12 Mr. Moore and he does not want you to close down
13 purchase order 69812.

14 A. I don't believe that's up
15 on the screen.

16 Q. Let's go to it. 109 I
17 asked for. Thank you. Image 109?

18 THE REGISTRAR: This is
19 overview document 6, image 109.

20 MS. JENNIFER ROBERTS: Is this
21 6 or 8?

22 THE REGISTRAR: This is
23 overview document 6. I can put overview document
24 8 up.

25 MS. JENNIFER ROBERTS: No, no.

1 Sorry, sorry. I'm sorry, just a second here.

2 MS. LAWRENCE: Commissioner,
3 if I may, I think that Ms. Roberts did have the
4 correct thing and I wonder if that was just a
5 technical glitch with the Registrar, because it
6 was coming as page 64, but I do think Ms. Roberts
7 wants page 109, and I just don't think it flipped
8 over to the right one.

9 MS. JENNIFER ROBERTS: Thank
10 you.

11 MS. LAWRENCE: You might want
12 to just try it again. Maybe second time is a
13 charm.

14 MS. JENNIFER ROBERTS: Thank
15 you. The date looked wrong for overview document
16 6. Let's try overview document 6. It's page 109.
17 Paragraph 297. That looks better. Thank you.

18 BY MS. JENNIFER ROBERTS:

19 Q. So, Ms. Cameron, we'll
20 try this a second time. This is a reference you
21 were taken to this morning?

22 A. Yes.

23 Q. You'll see at the end,
24 last sentence says April 17 Ms. Cameron replied to
25 Ms. McMillan regarding the possible closure of

1 purchase order 69812. And wrote that she spoke
2 with Gary and he does not want you to close out
3 PO69812?

4 A. Hm-hmm.

5 Q. And you gave evidence
6 this morning that that is what Mr. Moore told you
7 to do, but he didn't explain why. Do you remember
8 that?

9 A. That's correct.

10 Q. There's not a reference
11 in the documents to an action item to follow up.
12 I take it that there wasn't an action item for you
13 to follow up with Golder on the six-year review?

14 A. I don't recall being an
15 action to do that, no.

16 Q. Thank you. Registrar,
17 you can take down that callout. I'm going to go
18 to overview document 7 next.

19 I want to go to --

20 Ms. Cameron, I want to go to that back and forth
21 that we just went to this afternoon, the back and
22 forth about friction testing -- the request for
23 the friction testing results made by Councillor
24 Conley. Registrar, can you please go to overview
25 document 7, image 185, paragraph 541. Do you see

1 that, Ms. Cameron?

2 A. I do.

3 Q. You remember that you
4 were taken to this earlier and that your response
5 to the request by Councillor Conley for the
6 friction testing results, and you respond and say:

7 "My apologies. It was Gary
8 who requested the friction
9 testing in 2014 and
10 unfortunately I don't have a
11 copy of that report. I will
12 follow up with Gary on your
13 request when he returns to the
14 office on June 12."

15 Do you see that?

16 A. Hm-hmm.

17 Q. So in your testimony this
18 morning, you were asked did you know that friction
19 testing exists, and my notes say that you said
20 that you had no idea whether it existed or not.
21 Do you recall that?

22 A. Well, I don't keep a
23 mental memory of the purchase orders I do and what
24 are being asked of the consultants to do. So if
25 Gary is asking me about friction testing, that's

1 the only way I would know, but I do not keep a
2 mental memory and I don't look at my POs on a
3 regular basis.

4 Q. So you wouldn't
5 necessarily in 2017 have remembered a PO going
6 back to 2013, is that what you're saying?

7 A. That is correct. I would
8 not have put the two and two together, no.

9 Q. Fair. I totally get
10 that. It looks as though from your reply here
11 that you knew that Gary had requested friction
12 testing in 2014 because that's what you write?

13 A. Right, and that is not
14 something that I would have investigated. I would
15 have -- I'm pretty sure that I would have gotten
16 that information from Mr. Oddi.

17 Q. That friction testing was
18 done in 2014?

19 A. Yes, because that is who
20 I had reached out to to actually to help me get a
21 response to Councillor Conley -- pardon me --
22 Councillor Conley, so whether Marco and I had a
23 telephone call, whether we had something, it
24 was -- that's not something I would have figured
25 out on my own.

1 Q. You also say here you do
2 not have copy of that report. So it also appears
3 that you know at this date, June 5, 2017, that
4 there was a report, do you not?

5 A. Only by what's being told
6 to me.

7 Q. If we -- Registrar, if
8 you can please go to the next paragraph, which is
9 542. Ms. Jacob also chimes in on this e-mail
10 string and she says, "Is this for Red Hill? Maybe
11 we can touch base with Ludomir." Do you see that?

12 A. I do.

13 Q. So that suggests that Ms.
14 Jacob, at this point, believes that if there is a
15 report, that they should go to Golder and go
16 looking for it. Is that how you read that?

17 A. I believe she was making
18 a suggestion, yes.

19 Q. If we can go to the next
20 paragraph. You don't question that it would be
21 Golder who was involved in the report. Instead
22 you say, I won't give anything to the Councillor
23 without Gary's permission. Is it true --

24 A. Just -- sorry, go ahead.
25 My apologies.

1 Q. Is it true that at this
2 point in 2017, you're told that there has been
3 friction testing, there is a report, and you have
4 good reason to think that Golder was involved in
5 it? That's true, is it not?

6 A. I would not have that
7 knowledge.

8 Q. Well, you just said that
9 you -- well, you've just written it, and you said
10 that you received that information from someone,
11 you think it was likely Mr. Oddi. So I put it to
12 you again, that in June of 2017, you knew that
13 friction testing had been done, you knew there was
14 a report, and there was a very good likelihood
15 that Golder was involved in it?

16 A. Only by what I've been
17 told. I would have absolutely no other knowledge.
18 That's not part of my realm of knowledge for my
19 job.

20 Q. That's fine. I'm not
21 suggesting that you somehow got it -- I hear you,
22 that you're not saying to us that you were told
23 it, and I'm saying at this point you were told
24 that information and you knew it. That's the
25 point.

1 A. And I wouldn't have
2 thought anything about it.

3 Q. Thank you, Registrar, you
4 can take that down. We can go out of this
5 document too.

6 This is just a small point and
7 I just want clarification on something. You said
8 just recently in your testimony that you
9 understood that Mr. McGuire said that he was going
10 to reach out for a final version of the Golder
11 report. That's the six-year pavement evaluation?
12 Do I have that right? Is that what your testimony
13 is?

14 A. Sorry, can you say that
15 just one more time.

16 Q. Of course. Your
17 testimony this afternoon was that you understood
18 that Mr. McGuire was going to reach out to Golder
19 and ask for a final version of the Golder report?

20 A. I believe that was
21 mentioned to me, yes.

22 Q. I just want to clarify
23 that because there's -- can we please go,
24 Registrar, to overview document 9A, pardon me,
25 image 171, paragraph 409. So what we can see in

1 the fall of 2018 is that Mr. McGuire asked for a
2 report in relation to the pavement evaluation. So
3 this is Mr. McGuire e-mailing Dr. Uzarowski
4 November 29, 2018:

5 "Thanks for the files on this
6 project. I have a copy of the
7 proposal. The proposal
8 suggests that you will provide
9 recommendations after the
10 testing. Can you supply the
11 final report on this testing?"

12 I suggest to you, Ms. Cameron,
13 was it -- are you sure it was a request for the
14 final version of the Golder report and not a final
15 version of the 2017 pavement evaluation that
16 Mr. McGuire was looking for?

17 A. I don't know what report
18 he was referring to. I just know he said he was
19 looking for a final report.

20 Q. Thank you, Registrar, you
21 can take that down.

22 Registrar, can you please stay
23 in overview document 9A, and go to image 263, at
24 paragraph 621. You just previously gave testimony
25 about a meeting on December 3, 2018, which was

1 recorded, and there was a meeting -- a further
2 meeting on December 18 between Dr. Uzarowski and
3 Mr. McGuire. You've just given testimony that you
4 did not attend that meeting.

5 A. That's correct.

6 Q. This was a meeting at
7 which number of things were discussed, including
8 Golder's draft report on the 2017 pavement
9 evaluation. Dr. Uzarowski is confident that he
10 heard noise at his meeting with Mr. McGuire which
11 he interpreted as somebody listening in on his
12 conversation with Mr. McGuire. Did you -- were
13 you sitting in an adjacent office listening to
14 that meeting?

15 A. No, I was not.

16 Q. Do you know if somebody
17 else was?

18 A. No, I do not.

19 MS. JENNIFER ROBERTS: Thank
20 you, Ms. Cameron, those are my questions. Thank
21 you for your patience.

22 THE WITNESS: Thank you.

23 JUSTICE WILTON-SIEGEL: Okay.

24 Ms. Talebi, I think you have some questions on
25 behalf of the City.

1 MS. TALEBI: I do, just very
2 few questions. Mr. Commissioner, I'll try to be
3 very brief.

4 EXAMINATION BY MS. TALEBI:

5 Q. Ms. Cameron, I'm just
6 going to ask you a couple of questions from the
7 evidence that you provide earlier today.

8 Ms. Lawrence was seeking to
9 draw a comparison between the level of information
10 that you received when working with Mr. McGuire in
11 comparison to Mr. Moore. Do you remember that
12 conversation with Ms. Lawrence?

13 A. Yes.

14 Q. And so when working with
15 Mr. Moore, did he provide you with the information
16 necessary to do your job?

17 A. Yes.

18 Q. And in comparison to
19 commission counsel's questions with respect to the
20 level of information shared by Mr. McGuire, you
21 indicated that Mr. McGuire shared more information
22 with you than Mr. Moore did. What do you believe
23 was the reason that Mr. McGuire shared more
24 information with you?

25 A. I believe it was just a

1 feeling that he wanted me involved more, that he
2 thought I should be involved more, that he
3 respected my opinion and he was looking for my
4 assistance to assist him in any way but not to --
5 in any way to make any decisions.

6 MS. TALEBI: Thank you.

7 Ms. Cameron, those are my questions for you this
8 afternoon. Thank you for your time. Thank you,
9 Mr. Commissioner.

10 JUSTICE WILTON-SIEGEL: Ms.
11 Lawrence.

12 MS. LAWRENCE: Nothing in
13 re-examination. Thank you.

14 JUSTICE WILTON-SIEGEL: Thank
15 you, Ms. Cameron, thank you very much for
16 attending the inquiry. It's been a long day but
17 you're excused.

18 THE WITNESS: Thank you.

19 JUSTICE WILTON-SIEGEL: And
20 the rest of us, we will also adjourn now until
21 Tuesday morning at 9:30. It being a long weekend,
22 let me wish all of you a happy, perhaps, break
23 over the long weekend.

24 --- Whereupon at 4:43 p.m. the proceedings were
25 adjourned.