

Nelson Barbados Group Ltd.
427 Princess Street, Suite # 200
Kingston, ON K7L 5S9

December 1, 2009

Justice Shaughnessy
Superior Court of Justice
Court House 601 Rossland Rd. E. Whitby ON L1N 9G7
VIA FAX: 905-430-5804 (Trial Coordinator - Whitby)
VIA FAX: 905-430-5822 (Judicial Secretary to Justice Shaughnessy)

RE: Nelson Barbados Group Ltd. v Richard Ivan Cox et al
(Proceeding Wednesday, December 2, 2009)

Your Honour,

I mean no disrespect to the court, and I am not writing you to advance my case or talk about the costs issue before the court.

I would rather be addressing the court personally, but this is impossible as I have been forced to flee the country with my family out of fear due to the actions of defendants and their law firms as detailed in the attachments.

I am concerned that the court has been in the past, and is being now, deliberately misled on a number of central issues by Mr. Ranking and Mr. Silver.

In particular I overheard Mr. Ranking and Mr. Silver in what they thought was a private conversation, agreeing to not inform Your Honour about various details of my November 17, 2009 conversation with them, and I detailed this in the attached letter to Mr. Ranking.

As you will see from my letter to Mr. Ranking, that I have copied to all counsel and yourself, Mr. Silver and Mr. Ranking have created a Victory Verbatim transcript that falsely reports to the court that I said I had received a copy of the court's order. The lawyer Heidi Rubin is a witness to this and knows the truth.

Further, as agreed to between Mr. Silver and Mr. Ranking, the Victory Verbatim transcript is at major variance with a complete and accurate accounting of our conversation in many important areas.

Further, Your Honour signed a court order on November 13, 2009 believing that Donald Best and Nelson Barbados Group Ltd. had been properly served with all the court documents that the court had been told were served. I believe that Your Honour was misled.

After speaking with your trial coordinator and reading various documents posted on the internet, I believe that if Your Honour audited the documents filed at court and held Mr. Ranking and Mr. Silver to account for each document that the court has been told was properly served, Your Honour would find that Mr. Ranking and Mr. Silver cannot explain themselves.

Your Honour, I mean no disrespect to the court. Please forgive me if this letter is in any way improper. My family and I are frightened and lost our well-being and security and left our home and country in fear due to the improper actions of the defendants and their lawyers as detailed in the letter to Mr. Ranking.

Yours truly,

Nelson Barbados Group Ltd.
per


President

Attached

- 1/ December 1, 2009 letter to Mr. Ranking
- 2/ Victory Verbatim transcript of November 17, 2009
- 3/ Barbados Underground article of October 30, 2009

Cc: (without attachments 2 and 3)

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December 1, 2009

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VIA FAX: 416-364-7813

Dear Sir

You should be aware that when we last spoke on November 17, 2009 and you hung up the phone in the middle of my writing down your questions, the line did not disconnect. I therefore overheard your following conversations, including your private conversation with Mr. Silver after the others left the room, wherein the two of you agreed to go on the record and spin your report to the court for your own "utility" and to not inform the court of various details of our conversation. This was after you refused my several requests to properly put our conversation on the record at the time with a court reporter.

This letter recounts our conversation based upon my notes made at the time, which I assure you are complete and accurate. I want this letter to be part of the court file.

I am in receipt of your package of November 18, 2009 sent via courier that includes your November 18, 2009 letter and the manipulated "transcript" of our conversation that you created after the fact.

As I expected after overhearing your discussion with Mr. Silver, the contents of your letter and the transcript are at major variance with a complete and accurate accounting of our conversation.

I find it appalling that in your "Statement for the Record" on page 12 both you and Mr. Silver falsely report to the court that I said I had received a copy of Justice Shaunessey's order when I said exactly the opposite several times and clearly explained several times that I had not received the order. I even asked for a copy of the order to be sent to me. I note in your transcript that you and Mr. Silver are of one mind that I did say I received the court order, but Heidi Rubin recounted the truth that I said I hadn't received the order and that I asked for a copy to be sent to me. This is as I expected after overhearing your discussion with Mr. Silver.

I am not in contempt of Justice Shaughnessy's order because I didn't know about it until November 16, 2009 and it was not sent to me until November 18, 2009.

After reading your version of events and my accurate notes, and in the absence of explanations from you and Mr. Silver, I have difficulty believing that you and Mr. Silver's actions in manipulating the transcript and other actions as detailed herein are in keeping with how lawyers should conduct themselves.

Further, as a result of carefully examining the materials that I did receive and various internet postings as detailed herein, I believe that the questionable actions of Fasken Martineau DuMoulin LLP and Cassels Brock & Blackwell LLP as detailed herein have all along been directly and indirectly supported and assisted by other defendant law firms and lawyers.

I received your November 18, 2009 courier package on November 24, 2009 along with some other mail when it caught up with me in another country where I was forced to flee to with my family after the law firms and defendants involved in this case took actions that imperiled my and my family's safety as detailed herein.

The package you sent also contains the court order signed by Justice Shaunnesey on November 13, 2009 and, as you know, it is the first time the order was sent to me. You sent it to me for the first time on November 18, 2009.

Now that I review it all, there's no way this order could have been issued without you telling the judge that all documents had been served on me. You knew they hadn't been served on me and so did the trial coordinator when I spoke to her as detailed later in my letter. Notwithstanding this, and your "transcript" that falsely reports to the court I said I received the court order, you have no problem informing the court that I am in contempt.

I asked you and Mr. Silver for a complete listing of the documents that the court has been told I have been served, along with the affidavits of service. You both refused.

As I told you and Mr. Silver several times, as further detailed below, I am willing to cooperate with the court and the procedure, to testify, to bring documents and to satisfy my lawful obligations to the court, but 1/ I have to know about those obligations to comply with them, 2/ I have to have received all the documents that the court has been told I received in order to comply with the court, and 3/ most of all I must be assured of my and my family's safety.

To address some of the statements made by you in your letter of November 18, 2009 and in the "Statement for the Record": (See attached November 18, 2009 letter from Ranking, and the Victory Verbatim "transcript")

1/ You state in your letter and the "transcript" that I was aware that I was to appear for questioning on Tuesday, January 17, 2009 but you fail to report to the court what

I told you at the time, that I first learned of the order when the trial coordinator read parts of the order to me on January 16, 2009 when I called her to ask what costs had been determined on November 2, 2009. I also clearly told you and Mr. Silver several times that I had NOT received a copy of the court order.

I also clearly told you and Mr. Silver that the trial coordinator informed me that the order had only been signed on Friday November 13, 2009 and was couriered to you on that day. You probably didn't receive it until Monday the 16th. She said I had not been sent the order and some of the other documents that the court has been told I have been sent. You leave this fact out of your letter and the Victory Verbatim "transcript" to the court.

Earlier in the summer I was served with papers that said on August 21, 2009 costs would be assessed. Then I was told it was adjourned to November 2. I wrote the court a letter on October 30, 2009 and expected costs would be assessed. I never saw one thing that told me otherwise until I called the trial coordinator on November 16, 2009 to learn the amount of the costs.

2/ On page 2, section (c) of your letter and in various sections of your "transcript" (ie: pgs 5, 6, and others) you provide an inaccurate account of our conversation respecting the issue of my and my family's safety. This is an issue that I addressed in some detail with you and Mr. Silver.

I told you and Mr. Silver that I was reading an article published on October 30, 2009 on the Barbados Underground website (Attached) and that based upon the content of the article, it appeared that Mr. Silver and his law firm published on the internet my confidential Ministry of Transport information, including my driver's license number, my date of birth, and my address history since I was 17 years old.

I said the article states that Mr. Silver's firm hired a private investigator who obtained my confidential employment information from the Toronto Police Association that was also published in the same article and that the author of this article has a copy of the report from the private investigator hired by Mr. Silver and the other law firms.

I said the article contains a general call for persons, including disaffected family members and satellite piracy criminals and others I have previously worked against as a police officer and as an investigator, to report to Mr. Silver my whereabouts, phone numbers, and residence address. The article provides Mr. Silver's email address for this purpose.

I said that there is a call on this article and other places on the internet for rogue police officers to be hired to track down my family. I said that the article had been picked up by other websites including pirate satellite and biker (motorcycle gang) websites.

I said that out of fear my family and I left our home and hadn't slept in weeks and that I had spent days, not hours, but days, on the phone dealing with identity theft issues as a direct result of my confidential Ministry of Transport information being put in public.

I told you that based upon my knowledge of the Ministry of Transport data security and the laws respecting the same that I believe persons committed violations of criminal, federal and provincial laws for my confidential MTO information to be released to the public.

I said that I was willing to testify, but that I wanted guarantees from everybody there that not you, not your law firm and none of your defendants, none of your clients have hired surveillance to take pictures of me because it will be on the web tomorrow and further endanger my family and me.

Contrary to your statement in (c) of your letter and on page 5 of the "transcript" that you and Mr. Silver confirmed there was no surveillance, you both qualified "that I know of" and refused to guarantee the actions of your clients.

Mr. Silver shared your inappropriate response to my concerns for the safety of my family and me and the public release of my confidential Ministry of Transport information and confidential Toronto Police employment information.

You both laughed. You continued laughing and chuckling. Mr Silver said it was "a non-issue". You said you didn't care.

I said I was intimidated, that whoever let my Ministry of Transport information go public knew exactly what they were doing to intimidate me and to create identity theft. I said that I knew exactly why it was done.

When I asked Mr. Silver who posted my confidential MTO information on the web and the calls for criminals to hunt down my family and me, you whispered to Mr. Silver, "Kill this".

Mr. Silver answered my question "I have no idea and I can't help find that out nor would I if I could."

I asked how my confidential MTO information came to be in public and Mr. Silver further said, "I have no idea nor do I care." I asked who hired the private investigator and Mr. Silver said "I have no idea."

In (b) of your letter and in the "transcript" (ie:pgs 7, 11 and others) you and Mr. Silver state that I refused to agree to alternate dates, but you neglect to inform the court that you refused to talk further about my and my family's safety and that my objection to agreeing to another date was clearly stated to be based upon my safety

and that you cannot or "don't care" to control the actions of your clients and whomever released my confidential MTO information to the public.

On November 24, 2009, I spoke with Mr. Rick Perry, the legal director for the Toronto Police Association, about the Barbados Underground article that states the Toronto Police Association provided my address from their police records as 123 Mountain Park Road, Hamilton, Ontario.

Mr. Perry told me that if the private investigator received this personal information from the Toronto Police Association (TPA), he did so illegally. Mr. Perry stated that if my address or any other information was released from TPA records, it may be a criminal matter and that he is horrified by the thought that TPA data about a former undercover police officer has been made public.

It is clear to me from the October 30, 2009 Barbados Underground article that all the defendants have been sent a report or reports from a private investigation agency that contains my confidential Ministry of Transport information, including my driver's license number, date of birth, complete name, and address history since I was 17 years old and living at 123 Mountain Park, Hamilton, Ontario. The report is also said to contain my confidential information as illegally obtained from the Toronto Police Association.

I have not been sent the report(s) and I want a copy of it (them).

The information in the October 30, 2009 Barbados Underground article shows me that several Ministry of Transport searches have been undertaken. I know that MTO searches revealing personal information such as address history, date of birth and driver's license numbers are closely controlled and can only be done by a very strict agreement with the Ministry of Transport or through internal police computer searches.

I want each of the defendant law firms, and their private investigators and process servers, to provide me with copies of their MTO search logs showing any and all MTO searches performed relating to this case. I want copies of the operating agreements between the Ministry of Transport and the law firms, private investigation firms, process servers and anyone else who performed MTO searches of my confidential information.

Further, I want copies of all investigations, inquiries and reports about me as made by the defendants, their law firms and hired investigators and anyone else. I need to know everything the defendants and their lawyers have about me, and have distributed about me and to whom, so I can properly ascertain my family's and my safety.

The October 30, 2009 internet article details some of my police experience, apparently taken from the private investigation report(s) about me. It is

disingenuous for Toronto lawyers to claim that I am a mysterious, unknown person or that they are unaware of my ongoing security concerns when over the past three decades both as a police officer and then as a private investigator, I have found myself working with, or for, or against various Toronto law firms numerous times, including some of the lawyers and law firms involved in this case. My name would also appear in the records of the Law Society of Upper Canada as having chaired a joint committee with Law Society members.

My undercover work against organized crime as a police officer and as a private investigator is well known. I have arrested organized crime members and other criminals for offences including murder, extortion, abduction, robbery with violence and other serious crimes. Criminals have served years in prison as a result of my work both as a police officer and later as an undercover private investigator.

Like many current and former undercover law enforcement officers and private investigators, I have received threats over the years including in recent years relating to my work as a private investigator. For this reason like many of my colleagues I have been forced for decades to maintain a low profile so my family will be safe.

Mr. Ranking, you and the other lawyers are well aware of the security and safety issues faced by undercover police and investigators and their families. Your private investigators would also be aware of the same, and especially so if they accessed my confidential information from both the MTO and the police.

That is why my confidential information was released in public. You and your fellow lawyers knew how devastating that would be to my family and me and that is why it was done. With the history of this case and documents previously published on the internet by the defendants, you and your fellow lawyers knew exactly what would happen when the private investigation report(s) was distributed to your clients.

Further, I see proof that some of the postings on the October 30, 2009 Barbados Underground article were placed there by an insider from Cassels Brock & Blackwell LLP.

On November 10, 2009 at 6:31pm, a person calling themselves "Finally some attention in Canada" posted a comment and referred readers to a document located on the Cassels internal server at the following address:

<http://www.casselsbrock.com/docs%5CAllarco%20CCAA%20Initial%20Order.pdf>

When accessed, visitors download a PDF document called:

"docs\Allarco CCAA Initial Order"

I am informed by a computer expert that the internet address as listed in the comment for the document location at Cassels Brock law firm's website is not published in public. The computer expert also informs me that a search at the Cassels Brock website using their public search engine does NOT reveal this document.

I am informed by the computer expert and believe that this address had to have come from an insider at Cassels as the address is so unusual and unique that it would be impossible for a person to know of its existence without having insider information.

This "Finally some attention in Canada" person posted other comments as can be seen in the article, and the content further proves the writer is an insider at Cassels law firm.

Regarding my business background, it is disingenuous for the lawyers for Barbados and several of the defendants who are or were associated with the government to claim that I am some mysterious or unknown person.

In 2005 I explored business investments and life in Barbados and became enthusiastic about the opportunities and about planning to spend my later years in that country. To this end, I incorporated Nelson Barbados Group Ltd. as my vehicle for investing in Barbados. I am the sole officer, director and shareholder of the company. I always have been the only one.

To further my business interests in Barbados, I met with various officials of the Barbados and United Kingdom governments and banking people during my trips to the island. Aside from the various meetings in Barbados, both the Barbados and UK governments have files containing correspondence with me and records for various projects and investments that were explored.

The defendants or lawyers who publish various articles at the Barbados Underground website claim in writing that they have access to Government of Barbados immigration records about me. I believe them as they published facts such as the number of times I visited Barbados and exactly where I stayed.

Once again, it is disingenuous for the lawyers for Barbados and several of the defendants who are or were associated with the Barbados government to claim they know nothing of Donald Best.

I respectfully ask you and your fellow lawyers and clients to answer the following questions.

1/ Who posted my confidential MTO information in the Barbados Underground October 30, 2009 article?

2/ How did my confidential MTO information come to be public?

3/ I want each of the defendant law firms, and their private investigators and process servers, to provide me with copies of their MTO search logs showing any and all MTO searches performed relating to this case. I want copies of the operating agreements between the Ministry of Transport and the law firms, private investigation firms, process servers and anyone else who performed MTO searches of my confidential information.

4/ Who hired the private investigator referred to in the Barbados Underground October 30, 2009 article?

5/ Provide the name of the private investigator and all reports and communications sent to, and received from the investigator.

6/ Who received the private investigation report(s)? Was the private investigation report(s) sent to all defendants? Was the court told I was provided a copy of the report(s)?

7/ How did the private investigator come to possess my confidential employment information from the Toronto Police Association?

8/ I want copies of all investigations, inquiries, searches and reports about me as made by the defendants, their law firms and hired investigators and anyone else. I need to know everything the defendants and their lawyers have about me, and have distributed about me and to whom, so I can properly ascertain my family's and my safety.

9/ Who provided the internet address from the Cassels webserver as found in the comment posted by "Finally some attention in Canada" at November 10, 2009 at 6:31pm? Who provided the location of that document to any and all persons who could have posted that on the internet? Who posted the comments on the internet?

10/ Provide the Barbados government files containing correspondence with me and the records for various projects and investments that were explored.

11/ Provide the Barbados government immigration, surveillance and other records about me as mentioned on Barbados Underground.

Mr. Ranking, I believe that the release of my confidential MTO and police employment information to the public is intended by you and your fellow lawyers to intimidate me, and to cause other persons to stalk me, including criminals whom I have had professional dealings with both as a police officer and a private investigator.

Unless you answer the above questions, I shall continue to believe that you and your fellow lawyers and defendants have done this deliberately.

You have achieved your purpose of intimidating me and also my family. You have driven me out of the country and underground to protect my and my family's safety, and now you are going to court and saying "See, he's not cooperating, Judge. You should throw the book at him."

And then you and Mr. Silver are falsely telling the judge that I said I received the order when I said exactly the opposite and you know it.

You and Mr. Silver are not willing to tell me what you told the judge about what documents have been served upon me. You obviously told the judge that everything was sent to me and even the trial coordinator acknowledges it didn't happen.

I await your answers to the above list of questions, along with a list of all court documents that you and the other lawyers have told the judge I have been served with, along with the affidavits of service for each document.

The reason I have copied this letter to every lawyer is because it has been made clear that you and all of your fellow lawyers at the various law firms are acting in concert. I want all this on the official court record.

Yours truly,

Nelson Barbados Group Ltd.

per



President

Cc:

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