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House leaguers strut  
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TUESDAY, MARCH 29, 2005 \$1.00 (GST included)

40 PAGES "Using Communication to Build Better Communities"



**Playing  
around**

Little Madeline Hay  
enjoys some fun in the  
PlayBarn during Easter  
activities over the week-  
end at Mountsberg  
Conservation Area.

Photo by  
ASHLEA WESSEL

**Defence wants tree case thrown out**

By **STEPHANIE THIESSEN**  
*The Champion*

A lawyer defending a man charged with plowing down acres of trees in a forbidden area is asking for the charges to be dropped, saying the Crown proceeded with the case in a "disgraceful" manner.

Defence lawyer David Crocker argued Wednesday the charges against his client, Burlington's George Vastis, should be stayed because Crown attorney John Olah had failed to meet the requirements for disclosure — which is the obligation of the prosecution to hand over all evidence relevant to the case as it becomes available.

"The actions of the prosecution have been so far... disgraceful," Mr. Crocker told Justice of the Peace J. Woloschuk at Ontario Provincial Offences Court in Burlington.

Mr. Vastis is facing \$840,000 in fines for 44 counts of cutting down trees in a woodlot and an Environmentally Sensitive Area, violating the Region of Halton's tree conservation bylaw.

Last month, Mr. Crocker served Mr. Olah with a motion record and a factum, a 59-paragraph document containing allegations including late production of the Region's Official Plan and various witnesses' material.

He said Mr. Olah failed to turn over documents and information in a timely manner before trial began.

"There's no distinction in my mind between late disclosure and lack of disclosure," Mr. Crocker

told court.

He also said the prosecution continued investigating well after the trial began — turning up new evidence after Mr. Crocker had already determined the direction of the defence's case.

The clearing activity in question took place in April and July of 2003, in which 20 acres of trees was cleared in long swathes on a Fourth Line property owned by Mr. Vastis. The property is located on the Milton/Oakville border, south of Britannia Road and north of Hwy. 407 between Regional Road 25 and Trafalgar Road.

Mr. Vastis pleaded not guilty to the charges last year.

Mr. Crocker said the "straw that broke the camel's back" was when a letter that had the potential to change the defence's position wasn't pro-

• see **ALLEGATIONS** on page 9

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