

ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

v.

GLORIA CHUDNOW

PROCEEDINGS AT COURT
BEFORE THE HONOURABLE JUSTICE J. KEANEY
On February 16, 2017, at BRAMPTON, Ontario
Courtroom 103

APPEARANCES

G. Hendry, Mr.

Counsel for the Crown

D. Humphrey, Mr.

Counsel for Gloria Chudnow

THURSDAY FEBRUARY 16, 2017

THE COURT: Good afternoon, all.

MR. HENDRY: Good afternoon.

MR. HUMPHREY: Good afternoon, Your Honour.

THE COURT: Sorry for the delay. I had the benefit of getting one of the IT people into my office and you don't want to let them go.

MR. HUMPHREY: No.

MR. HENDRY: Your Honour, if I can -- it's Hendry, first initial G., for the Provincial Crown.

THE COURT: Yes, Mr. Hendry.

MR. HENDRY: I'm here with Mr. Humphrey.

We're on....

MR. HUMPHREY: Yes, good afternoon, Your Honour. It's David Humphrey, for the record, and I am designated counsel for -- on the Gloria Chudnow matter.

MR. HENDRY: I think it's 11-14.

THE COURT: I have it. Yes, thank you.

MR. HENDRY: Your Honour, this is a matter where Mr. Humphrey and myself and one of my colleagues, we've done a number of days of discovery, both in July and October/November of last year on this matter. We've examined a number of witnesses. The end result of this -- of this and a review of the transcript would bear this out, is that the witnesses of the -- that form the foundation of this Crown -- on the Crown's case in this are wholly unreliable and not credible. Submissions could be made that they are lying. And given that there is

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a lack of independent corroborative evidence,
that -- we don't believe that the juror --
trier of fact could come to the conclusion
beyond a reasonable doubt that Ms. Chudnow has
committed the offences that are before the
court, so we'd ask that the charges be marked
withdrawn.

MR. HUMPHREY: If I could just add my
comments?

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THE COURT: Go ahead.

MR. HUMPHREY: I want to thank Mr. Hendry for
the conscientious manner in which he has
handled this case. This is one of those cases
that really did require reconsideration in a
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careful and thorough assessment of the
entirety of the case, but with particular
focus on the evidence that was given on the
discovery preliminary hearing. So I commend
my friend for the careful and thorough review
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he has conducted and for coming to the correct
conclusion, that there's no reasonable
prospect of conviction.

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THE COURT: Thank you, Mr. Humphrey. For
Gloria Chudnow then, the charges will be
marked withdrawn at the request of the Crown.

MR. HUMPHREY: Thank you, Your Honour.

MR. HENDRY: Thank you, Your Honour.

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THE COURT: Thank you.

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Certification

FORM 2

CERTIFICATE OF TRANSCRIPT (SUBSECTION 5(2))

Evidence Act

5 I, **JUDITH SMITH**, certify that this document is a true and accurate transcript of the recording of **Regina v. Gloria Chudnow** in the Ontario Court of Justice, held at 7755 Hurontario Street, Brampton, Ontario, taken from recording 3111_103_20170216_082616__30_KEANEYJ, which has been certified in Form 1 by JEFF MENG.

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15 March 10/2017
(Date)

Judith Smith

(Signature of Authorized Person)

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AUTHORIZED COURT TRANSCRIPTIONIST - MS. JUDITH SMITH

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