

FILE NO.: 06-24-03510

Jacqueline Sanderson,

Plaintiff;

vs.

Me Eve Malouin,

Defendant;

**AMENDED WILL SAY STATEMENT OF THE PLAINTIFF AND RESPONSE TO
MOTION TO DISMISS OF THE DEFENDANT**

Introduction

1. The Plaintiff, Jacqueline Sanderson ("**Sanderson**"), represented Samuel Roberge with respect to certain drug charges which resulted from an investigation done by certain police on the South Shore, known as the *Escouade Régionale Mixte* ("**ERM**");
2. The house of Roberge was searched on February 17, 2021, and found on the premises was allegedly approximately \$11,000 in cash, 300 grams of cocaine and a pellet gun;
3. At that time in February 2021, Roberge had been released on bail pending an appeal in another drug related charges file which dated back to 2015;
4. Notwithstanding that Roberge was released on bail and by all evidence he had presumably breached his conditions of release, Roberge was nevertheless released by the Crown prosecutor, being Me Eve Malouin, who was and has always been the prosecutor in charge of the said criminal investigation, which was known as "*Projet Qualifié*";
5. On March 13, 2021, the Court of Appeal revoked Roberge's bail, however, he did not return to prison on the specified date. Roberge remained illegally at large on the lamb until his arrest on June 23, 2022, the arrest which caused a majority of the legal issues which are still being debated before both the Court of Quebec and the Superior Court to this date;
6. The following passages of this statement summarize the facts which are relevant to the present disciplinary file in respect to the allegations contained in the private complaint filed by the Plaintiff against Me Eve Malouin;

False Statements before the Court

7. Me Eve Malouin made numerous false statements before the Court of Quebec during the hearings of Roberge both before and during the trial on the merits. In order to fully comprehend the false statements a detailed history of the file stating from prior to the arrest of Roberge is required;
8. On May 23, 2022, Heidi Mongrain of the St-Jean-Sur-Richelieu police force allegedly received an anonymous tip from an unidentified person that Roberge was hiding out in one of 2 places being (1) his girlfriend's home on Brown Street or (2) at a residence located on St-Charles Street in St-Alexandre, as appears in a police report dated July 5, 2022 filed as **Exhibit P-17**;
9. On June 23, 2022, Mr. Roberge was arrested outside of a residence located at 1389 St-Charles Street in the City of St-Alexandre;
10. Roberge was moving a BMW out of the driveway in front of the residence to allow an employee of the owner of the residence to move his pick-up truck out of the driveway. The police suddenly pulled up in front of the said BMW while Roberge was still in the driveway. Roberge did not try to move the vehicle and he immediately got out of the car and closed the door;
11. Roberge identified himself and cooperated with the police during his arrest;
12. A police officer, namely, Didier Tanguay, searched the car without a warrant and allegedly found 16 grams of cocaine beside the seat on the floor of the BMW. He stated at the trial that the drugs were in plain view and that he did not even need to bend down to see the drugs because the door of the BMW remained open during the entire arrest;
13. Of course, the police officer and Me Eve Malouin did not know that Sanderson and Roberge had a video of the arrest and that the door of the BMW remained closed during the entire arrest, a copy of the video is filed as **Exhibit P-18**;
14. Roberge was not provided his right to speak to his attorney upon detainment as required by the *Charter*, nevertheless, two (2) police officers from the Longueuil police interrogated Roberge from the place of his arrest in the City of St-Alexandre until he reached the police station in Longueuil which was approximately a 50-minute drive;
15. It should be noted that on January 28, 2025, Justice Décarie of the Superior Court ordered that certain persons including Sanderson and Roberge are not allowed to disclose the content of this conversation between the police and Roberge, a copy of the judgment is filed as **Exhibit P-19**;

16. Sanderson purports that the testimony of this conversation by one of the police officers, being Evelyne St-Germain, at the said *ex parte* hearing before the Court of Quebec held on June 6, 2024, is relevant to these disciplinary proceedings before the Disciplinary Council because it is submitted that Me Eve Malouin made comments during this hearing which were false and that she knew (or ought to have known) were false at the time that she made them;
17. Another hearing was held on May 12, 2025, before the Honourable Justice Blanchard in which it has become difficult to know what remains confidential and what is no longer confidential with respect to the *ex parte* hearing;
18. Moreover, the Plaintiff and three other parties appealed the judgments on May 26, 2025 under file number 500-09-700381-254;
19. Due to the unclear nature of the orders certain paragraphs of the present Will Say statement were removed by the Plaintiff but such statements still remain relevant to the present disciplinary file;
20. It is important that the recording of this *ex parte* hearing be entered into evidence and it is for this reason that Sanderson sent a copy of the recording to Me Ali, the lawyer for Me Malouin in the present file, on January 19, 2025, a copy of the email is filed herewith as **Exhibit P-20**;
21. It is submitted that Me Malouin used the guise or pretext of privilege to cover up the misconduct of the police officers who never provided Mr. Roberge his right to speak to an attorney;
22. St-Germain and Claveau finally brought Roberge to the Longueuil police station located on Curé-Poirier Street in the City of Longueuil at approximately 3:00 PM;
23. Sanderson immediately went to the police station to meet with Roberge. However, Sergeant Dominic Ahier and Evelyne St-Germain refused to allow Sanderson to meet with her client;
24. The officers explained to Sanderson that, because they were not going to interrogate Roberge, he had no right to speak to his attorney. This too is a violation of Roberge's right to speak to an attorney;
25. During the trial in June 2024, Ahier stated that it was not possible for lawyers to meet with a client in the detention at Longueuil;
26. This is also a false statement made by a police officer in front of a Crown attorney, being Me Malouin, who knew or ought to have known that the statement was false;

27. In another file that Sanderson had in which Me Malouin was also the Crown prosecutor, being the criminal file of Sébastien Fournier, in September 2020, Sanderson spent several hours at the detention in Longueuil with her client;
28. During the trial of Roberge of June 2024, Me Malouin contested that this meeting between Sanderson and her previous client be brought into evidence as she knew it would contradict the evidence of Mr. Ahier, a police officer from Longueuil;
29. Even if Sanderson was prevented from proving this fact before the Court of Quebec, it does not change the fact that Me Malouin knew that Mr. Ahier had provided false testimony to the Court;

Not Respecting the Authority of the Court of Quebec

30. As mentioned above, during the arrest of Roberge on June 23, 2022, Didier Tanguay searched the BMW that Roberge was in at the time of the arrest and found 16 grams of cocaine;
31. On December 14, 2022, the trial for this case was fixed for January 13, 2023. Sanderson wrote to Me Malouin to request additional disclosure but did not receive an answer until the night before the trial;
32. On January 12, 2023, Me Malouin sent an email to Sanderson containing 2 documents, being a *Rapport d'observation* and a *compliment enquête* (Exhibit P-14);
33. It was later discovered that this police report was not real and that the purported author never drafted the report yet Me Malouin deposited this document into evidence at a criminal trial on January 13, 2023;
34. The police report ends at 17:30 hours, however, the fact that Sanderson came to the police station and that St-Germain refused to allow Sanderson to speak to her client is not indicated on the report;
35. Furthermore, the report is quite detailed, however, there are no notes that were provided by any of the 6 police officers who allegedly came to the police station on the St-Jean Baptiste to sign the report. Questioning whether or it was true that these officers all came to the police station on June 24th, 2022, Sanderson asked for the camera surveillance of the Longueuil police station, however, this evidence was also refused by Me Malouin;
36. It was later discovered that Sanderson's suspicions were accurate because one of the police officers was not even working on June 24, 2022, i.e. the date he allegedly signed the report

37. Notwithstanding that this information was available in March 2023, it was never disclosed by Me Malouin to Roberge and Sanderson and it was only on June 5, 2024, that Sanderson became aware of this misconduct by the Longueuil police;
38. During the trial on January 13, 2023, the detective from Longueuil who found the cocaine in the BMW, namely, Didier Tanguay, testified in great detail that the door of the BMW was open during the arrest of Roberge;
39. Near the end of the cross-examination by Sanderson of Mr. Tanguay, Sanderson asked permission to play the video surveillance of the said arrest (Exhibit P-18). Sanderson asked Mr. Tanguay to tell her to stop the video at the time that he had seen the drugs with the car door open as he had confirmed in his testimony without any doubt, a copy of the minutes of the hearing of January 13, 2023 were filed as Exhibit P-13 and the video is Exhibit P-18;
40. Didier Tanguay could not answer the question because the door was not open at the time of the arrest because Roberge had closed the door as mentioned in his motion. In fact, the sound of the door ajar buzzer ends immediately as you hear the door close on the video seconds after Roberge exited the vehicle (see Exhibit P-18);
41. Justice Lepage of the Court of Quebec was chocked and immediately expressed her concern that there was a material proof (*i.e.* the video) which contradicted the testimony of the police officer, Mr. Didier Tanguay. She asked the lawyers to leave the courtroom and shortly thereafter Me Malouin told the Judge that she would withdraw the file. Consequently, Roberge was acquitted of the possession charges;
42. Me Malouin added that Sanderson should have showed her the video prior to the trial;
43. Justice Lepage specifically noted that she hoped Me Malouin would do the necessary without providing any details to her request. Page 80, lines 13 and following of the stenographic notes of January 13th, 2023 (Exhibit P-13) provide as follows:

PAR LA COUR:

On fait rentrer le témoin ?

PAR ME ÈVE MALOUIN:

Non.

PAR LA COUR:

Non ?

PAR ME ÈVE MALOUIN :

Non.

PAR LA COUR :

Il ne faut pas qu'il soit présent pour la suite ?

PAR ME ÈVE MALOUIN :

Non. Je ferai le nécessaire, Madame la Juge.

PAR LA COUR :

J'espère que vous allez faire le nécessaire.¹

44. Me Malouin did absolutely nothing in response to this request by Justice Lepage. Hence, the complaint that Malouin did not respect the authority of the Court. As opposed to trying to investigate the matter to establish the truth as would be expected by a Crown prosecutor, Me Malouin did nothing and actually did everything in her power to prevent the truth from becoming public;
45. It should be noted that Justice Marco Labrie even presumed that Me Malouin would have followed through with the request by Justice Lepage in the following paragraphs from the hearing of September 26, 2023, (Exhibit P-3):

Par surcroît, la procureure a même mentionné à la Cour qu'elle ferait le nécessaire à la suite de ce qu'il venait de se passer, laissant sous-entendre selon la Cour qu'elle allait en informer ses supérieurs et/ou les supérieurs de l'agent Tanguay et/ou les autorités compétentes. La Juge lui a d'ailleurs dit qu'elle espérait qu'elle ferait le nécessaire. (Voir à la page 80 de la transcription). Contrairement à ce qu'allègue le requérant, non seulement la preuve ne démontre pas que Maître Malouin ait voulu cacher quoi que ce soit mais de plus, la preuve ne permet pas de croire que Maître Malouin **n'a pas rapporté à ses supérieurs et/ou les supérieurs de l'agent Tanguay et/ou les autorités compétentes ce dont elle avait été témoin lors du témoignage de l'agent Tanguay.**

Surprise the good Faith of a Colleague (*surprendre la bonne fois*)

46. On January 28, 2023, Sanderson filed a motion for the additional disclosure and the email from Sanderson with the motion provided as follows:

Please find attached a motion of Samuel Roberge for additional disclosure of documents regarding his arrest. I would prefer to present this motion before June 15 as I believe that it is important and that I need this information to complete my other motions.

I would ask that my colleague, Me Eve Malouin, not discuss this motion with any police officers of the Longueuil police until the motion is heard before the Court.

I have also attached a private complaint for perjury against the police officer who testified in the criminal file with respect to the arrest of Mr. Roberge.

47. On February 22, 2023, before Justice Labrie, Sanderson explained that the information she was requesting in the said motion for additional disclosure with respect to the properties of a PDF document should remain confidential (page 24, line 4 to page 25, line 4 of the stenographic notes filed as Exhibit P-1);

Me Sanderson

Alors, tous ces aspects-là me suggèrent que peut-être il y a une fabrication de rapport de police la veille d'un procès. Alors, ça, c'est la raison que je trouve que c'est sensible.

¹ Me Sanderson confronted Me Malouin on the issue on October 5, 2023 and she simply declined to answer as the Judge specifically objected to the question.

Évidemment, si c'était fabriqué la veille du procès et c'était sauvegardé sur un disque dur avec... si on clique sur *Properties*, sur un PDF, ça dit le jour que c'était sauvegardé.

Alors, évidemment, si on les appelle et puis ils savent ça ou ils parlent à quelqu'un, c'est juste ça qui est sensible. Alors, je ne sais pas comment faire ça dans une façon où ça va... on ne va pas appeler les polices mêmes direct pour demander ces informations-là. Je préfère, si j'ai l'autorisation, je vais écrire à monsieur la police² [sic] qui est chef de police là-bas pour demander à lui d'obtenir cette information et de ne pas obtenir directement d'eux ou de quelqu'un, oui. Alors, c'est pour ça que je demande que ça reste sensible.

La raison que je ne veux pas qu'on attend un autre trois (3) mois pour savoir ces informations-là, c'est sensible et...

PAR LA COUR :

Vous préférez qu'on entende... qu'on entende ça bien avant le mois de juin ?

Me Sanderson

Oui, parce que c'est sensible et que la preuve peut être détruite dans ce temps-là, d'ici à ce temps-là.

48. It should be noted that on February 22, 2023, Me Malouin stated to the Court that the evidence was “probably confidential” and not that it was confidential contrary to the manner that she stated same to Justice Greffe on January 25, 2023; Page 30, line 20 to page 31 line 9 of the stenographic notes of February 22, 2023 provide as follows:

Me Eve Malouin :

J'allais dire que je ne suis pas tombée en bas de ma chaise quand j'ai entendu maître Sanderson. Je pense que c'est assez clair, là. Je pense que n'importe qui qui sait lire entre les lignes sait très bien que c'est ça qu'elle allègue dans sa requête initialement.

Puis ce que j'allais dire, au départ, là, je vous ai dit, c'est non pertinent. Dans un deuxième... dans un deuxième point, c'est probablement privilégié, puis dans un trois... mais pas pour ce qui est des rapports, des dates de rapport, là, ça, je... mais je vous parlais de l'information initiale. Et là, au surplus, j'allais dire, c'est complètement un motif oblique. On vise autre chose, là. Le dossier est terminé. Le dossier de l'arrestation de monsieur Roberge, il a été acquitté.

49. A few minutes later on the same day Me Malouin stated that she was not even certain if the information even existed and Sanderson responded that it has to exist because it is a PDF. Page 33, line 25 to page 34, line 17 provide as follows:

Me Eve Malouin:

Je ne sais pas si ça existe.

Justice Labrie :

² Mr. La Police is actually a police officer at the Longueuil police.

Non, je comprends, mais... Je comprends, mais ce n'est pas 2 vous qui avez ce fardeau de preuve-là.

Me Eve Malouin:

Non, ça, je comprends.

Justice Labrie :

Vous comprenez ? C'est pour ça que si on doit se rendre là, moi, je veux bien l'entendre avant, je n'ai pas de problème. Et si jamais à un moment donné, parce que je comprends votre position, vu la demande de votre collègue, vous ne communiquez pas avec le service de police pour préserver les droits de votre client, évidemment, ça empêche la poursuite de vérifier si ça existe. C'est juste un Catch-22. Il faut juste en être conscient. L'existence, ça va être votre fardeau par prépondérance de probabilité. Ayez-le à l'esprit pour la date que je vais fixer, mais on va fixer une date.

Me Sanderson :

Évidemment, ça existe, c'est un PDF, c'est un document. T'sais,... Oui, parce que c'est sensible et que la preuve peut être détruite dans ce temps-là, d'ici à ce temps-là.

50. It was clear from these discussions that Sanderson had every reason to believe that Me Malouin was not going to speak to the police prior to the hearing of the motion which was scheduled for March 31, 2023;
51. This understanding was confirmed by Justice Labrie in the judgment dated September 26, 2023 at page 23 lines 19 to 25 of Exhibit P-3 which provides as follows:

Tout au plus, Maître Malouin a mentionné à la Cour que Maître Sanderson lui a demandé de ne pas communiquer avec les policiers relativement à la requête en divulgation et l'on peut comprendre des propos qu'elle tient que Maître Malouin a l'intention de respecter cette demande.
52. It is important to note that the Court even stated that the reason for the request of non-disclosure and confidentiality was to preserve the rights of Roberge;
53. It should be noted that Sanderson was worried about the independence of Me Malouin because Me Malouin is married to a police officer named Francis Tremblay in the Fraud Division of the Longueuil police;
54. On March 20, 2023, Sanderson sent an email to Justice Labrie and Me Malouin explaining that she wanted the presence of certain police officers at the hearing of March 31, 2023, a copy of which is filed herewith as **Exhibit P-21**;
55. Me Malouin did not respond to this email nor did she contact Sanderson when she became aware of the fact that Sanderson had sent subpoenas to certain police officers, nor did Me Malouin contact Justice Labrie and/or Sanderson to discuss the fact that she wanted to contact the police prior to the hearing of March 31, 2023,

contrary to the understanding agreed between the parties before Justice Labrie on February 22, 2023;

56. Notwithstanding the request of Sanderson not to communicate with the Longueuil police concerning these aforementioned sensitive, Me Malouin contacted Captain Julien Levesque of the Longueuil police prior to the hearing of March 31, 2023 but after the agreement that she would not speak to the police prior to the next hearing;
57. At the hearing of March 31, 2023, Me Malouin provided a police report prepared by Julien Levesque (**Exhibit P-22**) and an email from Gabriel Savoie-Bilodeau to Jonathan Bouchard of the Longueuil police, dated June 21st, 2022. The Report of Levesque discusses the properties of the PDF documents, the issue which was supposed to remain confidential and that Me Malouin was not supposed to discuss with the Longueuil police;
58. This is a blatant violation of the lawyer's obligation not to surprise the good faith of a colleague (*surprendre la bonne foi*) contrary to section 113 and 119 of the *Code of Professional Conduct of Lawyers* (the "**Code**");
59. Prior to preparing Exhibit P-22, Captain Levesque knew that one of the police officers had not worked June 24, 2022, but had nevertheless prepared the said report to try to pretend that Exhibit -14 was legitimate even though he knew it was not really signed on June 24, 2022 by one of the officers. Supposedly the police officers had a practice of simply printing the document and pretending that it was signed on the date indicated when really it was not;
60. As opposed to providing this information to Sanderson, Me Malouin tried to suppress this evidence contrary to section 117 of the Code. In fact, Me Malouin gave Sanderson Exhibit P-22 to try to dissuade her from continuing her investigation and to try to pretend that Exhibit P-14 was a legitimate police report even though she knew or ought to have known the document was not legitimate;
61. Sanderson filed a new motion for additional disclosure which was initially filed under seal because again Sanderson did not want Me Malouin to discuss the motion with the police officers;
62. On September 26, 2023, Justice Labrie ordered that the prosecution not discuss these issues with the Longueuil police (SPAL);
63. On October 5, 2023, the first day of the hearing of this motion for additional disclosure a new lawyer for the Crown was present, being Me Maxime Fournier. Me Fournier immediately went to check the minutes of the hearings of September 5 and 26, 2023, to confirm the orders that were made with respect to the non-divuligation of the contents of the motion to the police. He noted to Sanderson that it only applied to the Longueuil police and not the SQ;

64. It quickly became obvious the reason for the concern of Me Fournier was because Me Malouin had asked Gabriel Savoie-Bilodeau of the SQ to be present at the hearing of October 5, 2023. Me Malouin stated that he had to be present because Roberge had requested information in regards to an email from Gabriel Savoie-Bilodeau in the said sealed motion;
65. This again surprised the good faith of Sanderson because even though the order of Justice Labrie did not specifically mention the SQ, it was understood that Me Malouin would not discuss the motions with any of the police officers;
66. In fact, these concerns were constantly expressed during the proceedings because Me Malouin is married to a police officer from Longueuil, being Francis Tremblay;
67. The entire point of the gag order was to prevent any police officer from the Longueuil police from knowing that Roberge was questioning the veracity of certain documents provided to the defence. Savoie-Bilodeau could have communicated with the other police officers because it is obvious he prepared for the trial of January 13, 2023 with the police officers of Longueuil as he signed one of the reports which were communicated to Sanderson by Me Malouin on January 12, 2023 (Exhibit P-14);
68. Me Malouin had the questionable police report in her possession since January 12, 2023, being Exhibit P-14. Me Malouin knew or ought to have known that there were errors on Exhibit P-14 and she should have questioned its veracity immediately;
69. The form had the wrong file number on it and the file number was related to another investigation. Roberge's address was incorrect and the box "ERM" should have been checked off because the request had come from Gabriel Savoie-Bilodeau of the *Escouade Régionale Mixte* "ERM" and not from "BARC";
70. Eventually the person who allegedly redacted the report, Mr. Nguyen, testified that he never even signed the report and the initials next to his name were not his. It is submitted that if a prosecutor is intending to deposit a report into evidence (*i.e.* Exhibit P-14) she should have at the very least confirm that the document was prepared by the person who purportedly wrote the report. These are elementary hearsay rules which a Crown prosecutor has a higher obligation to respect;
71. It is submitted that simply because Me Malouin was able to do this in Court does not mean that she did not breach the Code or acted unethically;
72. It is interesting to note that Mr. Nguyen worked for Francis Tremblay, Me Malouin's husband, and he also confirmed in his testimony that his initials were not those which appeared on the document next to his name and badge number which means that someone had fraudulently put his initials on Exhibit P-14;
73. Exhibit P-14 is not the only false document that was provided to Sanderson and Roberge and deposited into the Court record by Me Malouin;

74. On March 31, 2023, Me Malouin also provided Sanderson with a report entitled "*Demande d'Assistance au BIM*", a copy of which is filed as **Exhibit P-23**;
75. This document was also provided to Sanderson to deter her from her investigating any further into the false report being Exhibit P-14;
76. Exhibit P-23 has no file number and no date and very little description contained thereon. Both Captain Julien Levesque and Jonathan Bouchard made false representations at the trial in June 2024 that this form was made for statistical and administrative purposes only. However, this testimony was contradicted by Didier Tanguay and another retired Sergeant Detective from Longueuil, being Francois Mailloux;
77. The document is not used for statistical purposes and is used to send to the BIM department to request their assistance as noted in the title of the document;
78. Me Malouin knew or ought to have known that Captain Levesque and Jonathan Bouchard made false representations in court by stating that the form was for statistical purposes only. This is presumably the reason she contested that Francois Mailloux testify on this issue. Me Malouin had an obligation to verify the veracity of the document before providing the document to the defence;
79. On January 5, 2024, Roberge filed a motion for unreasonable delay;
80. Me Malouin pleaded before the Court that she made a detailed plan for the trial (*plan précis et concret*) as indicated at paragraph 20 of the judgment of Sacha Blais with respect to unreasonable delays, dated June 3, 2024 (Exhibit P-9). This is also a false statement by Me Malouin as no such detailed plan ever existed;
81. On October 5, 2023, just one month before the trial, Me Malouin sent an email (Exhibit P-11) to Sanderson with the list of the police officers who would testify at the trial. The name of Evelyne St-Germain was not on the list but Me Malouin knew or ought to have known that she would be testifying at the trial;
82. Me Malouin also made false representations to the Court (Justice Marco Labrie) when she claimed that the investigation known as "*Projet Qualifié*" was conducted by the SQ and not the Longueuil police. Furthermore, Me Malouin clearly gave the impression to Justice Labrie that there would be no police officers from Longueuil who would testify at the trial on the merits (see page 24, lines 12 to 19, page 28, lines 7 to 23, page 30, lines 8 to 20, page 40, line 23 to page 41, line 15 and page 48, lines 4 to 16 of Exhibit P-5);
83. Justice Labrie referred to the stenographic notes of February 22, 2023 to confirm that Me Malouin confirmed that no police officers from the SPAL would testify:

Premièrement, la procureure de la Poursuite a exposé lors de l'audition du 22 février 2023 les motifs pour lesquels elle refuse de divulguer les documents demandés par la Défense. (Voir pièce A-11, transcription de l'audition du 22 février 2023, pages 16 à 20

et page 31. Essentiellement, Maître Malouin soutient que les éléments demandés par la Défense ne sont pas pertinents. Ces documents, s'ils existent, sont relatifs à l'arrestation du requérant le 23 juin 2022 alors que les infractions qui lui sont reprochées se terminent en février 2021. De plus, il s'agit d'une enquête menée par la Sûreté du Québec alors que le mandat d'arrestation du requérant a été exécuté par des policiers du SPAL plus de seize (16) mois après la fin des infractions reprochées. Par conséquent, **selon Maître Malouin**, les informations demandées ne pourraient aucunement soutenir un moyen de défense ni même permettre de tester la crédibilité **des témoins de la Poursuite qui seront des policiers de la Sûreté du Québec**.

84. It should be noted that six (6) police officers from the Longueuil Police testified at the trial on the merits at the following dates and times:
- a) November 9, 2023 at 2:03 P.M. Eve St-Germain
 - b) November 9, 2023 at 2:17 P.M. Pascal Roy
 - c) November 14, 2023 at 9:38 A.M. Maxime Laprise
 - d) November 16, 2023 at 2:46 P.M. Patrick Cupani
 - e) November 16, 2023 at 3:01 P.M. Francois Dubé
 - f) November 17, 2023 at 9:40 A.M. Caroline Plamondon;
85. Since there was clearly an error in the judgment of September 26, 2023, Me Malouin had an obligation to inform Justice Labrie at the first possible chance. As opposed to informing Justice Labrie, Sanderson and Roberge, Me Malouin continued to allow Justice Labrie to believe incorrect information and he repeated the same error in fact in his judgment of November 21, 2023;
86. It is now obvious that Me Malouin did not plead her *Charron* motion before Justice Marco Labrie because he would have known prior to the judgment of November 21, 2023, that there would be officers from Longueuil who would be testifying at the trial on the merits and this would have changed his judgment of November 21, 2023 due to the repetitive false facts contained therein described above;
87. Me Malouin first announced that she was planning to file a Charron type motion on December 14, 2022. The stenographic notes to be filed as **Exhibit P-24** provide as follows at page 35, lines 8 to 16:

En fait, ça va dépendre beaucoup de deux (2) requêtes. We are intending to present a motion to contest the choice of Mr. Roberge to ask for a trial in English because of what we heard in other files of Mr. Roberge and his comprehension of English. Second of all, we will present a motion de type C H A R R O N asking that the agents fileurs could testify via affidavit instead of testifying in front of the Tribunal.³

³ It should be noted that Me Malouin switched from French to English because initially Roberge had requested an English trial.

88. Notwithstanding that Me Malouin announced the *Charron* motion in December 2022, it was only served on October 27, 2023, just 10 days before the trial. The affidavits were not provided until the first or second day of the trial itself. Yet as explained above Me Malouin claimed before Justice Blais that she had a plan *précis et concrète* of the evidence that she planned to present at the trial on the merits;
89. On October 19, 2023, Me Malouin made up an excuse not to even plead this motion before Justice Labrie. At page 33 of the stenographic notes of October 19, 2023, Justice Labrie convinced Sanderson to accept the affidavits of the 34 police officers who did surveillance and that she could cross-examine them on the affidavits, the stenographic notes of October 19, 2023, are filed herewith as **Exhibit P-25**;
90. Me Malouin insisted at page 38 of the stenographic notes of October 19, 2023 (Exhibit P-25), that she wanted to present the *Charron* motion before the trial judge and not to Justice Labrie (page 38, lines 17 to 20 of Exhibit P-25);
91. At page 48 of Exhibit P-25, Justice Labrie insisted that he could hear the motion before November 6, 2023 to save time for the Trial Judge, however, Me Malouin continued to refuse to agree to present the *Charron* motion before Justice Labrie;
92. It should be noted that had Me Malouin presented this motion before Justice Labrie and he had seen the affidavits of the police officers (including those from the SPAL), Justice Labrie would have known that several police officers from the SPAL were going to testify at the trial on the merits and he would not have made the errors on that issue in the judgment of November 21, 2023 (Exhibit P-5);
93. Furthermore, Me Malouin also stated on numerous occasions that there would be no evidence from the arrest presented at the trial on the merits yet on the first day of the trial on November 5, 2023, Me Malouin deposited a police report from the arrest (Exhibit P-7);
94. During the hearing of November 21, 2023, Sanderson confronted Me Malouin in front of Justice Labrie on the fact that his judgment was incorrect because several officers from Longueuil testified at the trial and Me Malouin entered a police report from the arrest. Simply because Justice Labrie did not care and did not reconsider his judgment, does not mean that providing such false information to the Court by Me Malouin is not blameworthy on an ethical standard;

Withholding Evidence from the Defense and Providing False Evidence

95. On January 5, 2024, Sanderson suddenly became aware of the fact that a co-accused, namely Mr. Alla Hussain Abdelhamid, who had been on the lamb (*en cava*) since February 2021 had turned himself into the police at the airport;

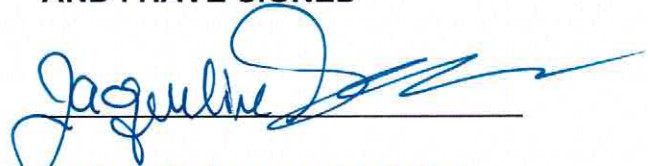
96. Initially, Me Malouin told Sanderson that he was arrested in December 2023 (see page 4, line 13 to page 5 line 5 and page 8, line 21 to page 12, line 18 of the stenographic notes of the hearing of January 5, 2024 filed as Exhibit P-6);
97. Later, Me Malouin admitted to Sanderson that Abdelhamid was arrested in October 2023 before the trial. Me Malouin admitted that she remembered because Me Gauthier, the lawyer of Abdelhamid, initially asked if he had to do the trial with Roberge as the trial was fixed to proceed just a few weeks after Abdelhamid was arrested. It should be noted that Me Caroline Bouchard-Lauzon was also present at the time when Me Malouin told Me Sanderson that Abdelhamid turned himself in December;
98. Me Malouin did not want Sanderson to know that Abdelhamid was arrested and this is obviously the reason that she did not copy her on the emails that were sent to the other lawyers in November 2023;
99. Me Malouin's excuse was that Sanderson could have found the information on the *plumitif* which is a public record (see the stenographic notes of March 15, 2023, at pages 151 and following filed herewith as **Exhibit P-26**). Sanderson admits this is true, however, this is a ridiculous excuse because a lawyer cannot go checking the court records every day for every co-accused to see if they were arrested. A criminal prosecutor has a higher obligation to provide evidence to the accused than other lawyers in the civil context;
100. On March 15, 2024, Me Malouin also admitted to sending 2 emails to the other lawyers on the same file with evidence contained therein without copying Sanderson thereon;
101. Me Malouin also did not provide certain cellular phone data contained on a phone seized at the home of a co-accused, being Michel Iler. She even pleaded that this evidence was in the hands of a third party, however, she knew full well this is not the case as the phones were seized by the police;
102. The order of Justice Decarie of January 28, 2025 (Exhibit P-19) is preventing the Plaintiff from making her proof and it should be lifted as it pertains to the present disciplinary file. A lawyer is not authorized to plead confidentiality as a means of avoiding disciplinary measures, nevertheless, the Plaintiff will raise this issue in a proper motion before Justice Blanchard on May 12, 2025.

SWORN STATEMENT OF JACQUELINE SANDERSON

I, the undersigned, **JACQUELINE SANDERSON** residing at 200 Alexandre-De Prouville Street, City of Carignan, Province of Québec, J3L 6X2, declare that:

1. I am the Plaintiff in the present action;
2. I confirm that all the facts mentioned in the present document are true.

AND I HAVE SIGNED


JACQUELINE SANDERSON

Declared solemnly before me at the City of Carignan
on this 26th day of May, 2025

Déclaré sous serment devant moi à Carignan,
le 26 mai 2025.

Hélène Otis
Hélène Otis, commissaire à l'assermentation (no 2244864)

