

MY COPY

ONTARIO COURT OF JUSTICE

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Ontario Court of Justice  
Brampton

HER MAJESTY THE QUEEN

against

SHAWN CASSISTA

\*\*\*\*\*

PROCEEDINGS

BEFORE HER WORSHIP JUSTICE M. MCLEOD  
on July 19, 2012 at MISSISSAUGA, Ontario

\*\*\*\*\*

APPEARANCES:

A. Bruno, Mr.

S. Cassista, Mr.

Prosecutor

In Person

(i)  
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Ontario Court of Justice

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Thursday, July 19, 2012

MR. BRUNO: Starting off with line number three of Shawn Cassista.

THE COURT: Hello, sir. Could you please state your name?

MR. CASSISTA: My name is Shawn Cassista.

THE COURT: Thank you, sir.

MR. BRUNO: Not certain what the defendant's intentions are today. The crown is in a position to proceed with this matter.

THE COURT: Sorry, what did you say, sir? I missed that.

MR. BRUNO: The crown is in a position to proceed this morning, Your Worship. I'm uncertain of what the defendant's intentions are.

THE COURT: All right, sir, I just see there is an information before me and Shawn Cassista of [REDACTED]

[REDACTED] you are charged with not having insurance. Do you understand how the process works, sir?

MR. CASSISTA: To a certain degree, yes.

THE COURT: All right. It's not collaborative by nature and so you have a story and the prosecutor or the crown has a story with regards to this charge. There's elements to the charge that must be satisfied beyond a reasonable doubt for you to be convicted. So this is quite a serious charge. Do you have disclosure, sir?

MR. CASSISTA: Yes, I do.

THE COURT: All right then.

MR. CASSISTA: But I did actually--I filed a motion actually the previous trial date which was back in.

January, I brought forward an 11(b) *Charter* challenge and I actually needed the transcripts so I had postponed that date and the lady here has just come forward and brought the transcripts today and she's not even finished providing them yet.

THE COURT: All right, so what we'll do is why don't we hold the matter down, is that all right, Mr. Crown?

MR. BRUNO: Yes, Your Worship.

THE COURT: We'll hold the matter down and we'll finish with the rest of the...

MR. CASSISTA: Okay, because there was some other things I want to...

THE COURT: ...list and then you can deal with it. Thank you, sir.

MR. BRUNO: Thank you, Your Worship.

COURT REPORTER'S NOTE:

At this time the matter is held down and other matters are dealt with. They have been duly recorded but not transcribed.

U P O N R E S U M I N G :

MR. BRUNO: Recalling the Cassista matter, Your Worship, line number three.

THE COURT: Pardon?

MR. BRUNO: Line number three, Your Worship.

THE COURT: Right.

MR. BRUNO: Shawn Cassista.

THE COURT: Hello, sir, could you please state your name?

MR. CASSISTA: Shawn Cassista.

THE COURT: Thank you. Shawn Cassista, yes, sir, what's the plan with Shawn Cassista?

MR. CASSISTA: Okay, well, I just received some of the transcripts...

THE COURT: Pardon me, sir? I didn't hear you, I apologize.

MR. CASSISTA: I had just received some of the transcripts, we were talking about...

THE COURT: Right, and so what's the plan?

MR. CASSISTA: Well, I'm going to motion the court to—I do actually have some case law I would like to address in regards to not having the full transcripts.

THE COURT: Okay, hold on. Crown, what do you—what's the plan with this?

MR. BRUNO: I'm in a position to proceed, Your Worship. I don't require any transcripts.

MR. CASSISTA: To proceed with the dismissal?

MR. BRUNO: Proceed with dismissal, it's your motion, sir. I'm in a position to argue your motion today.

MR. CASSISTA: Okay. All right.

THE COURT: Okay, so let's—this is quite lengthy here, so let's just put some stuff on the record, so initially this gentleman was charged...

MR. CASSISTA: Actually I created a timeline sheet here of all the events if you want to refer to it really quick...

THE COURT: No, thanks, I'll just use the Information before me, sir, thank you. So initially this gentleman was charged May 17, 2010 in the City of Mississauga for being the owner of a

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motor vehicle when it was not insured under contract of the automobile insurance and that was signed by Her Worship Pallett and sworn to June 3<sup>rd</sup>, 2010. It was confirmed on that day. The Summons was given to the defendant May 17<sup>th</sup>, 2010 and confirmed June 3<sup>rd</sup>, 2010. It's under the *Compulsory Automobile Insurance Act*, section 2(1)(a). From that date it was put over to—he was to attend June 23<sup>rd</sup>, 2010 at nine o'clock and that was in M2 and that was for trial. It was put over to December 20<sup>th</sup>, 2010 in M1 at nine o'clock and that was to be spoken to and then from there it went to July 20<sup>th</sup>, 2011 and M2 at 10:30 for trial. From that date it went over to May 27<sup>th</sup> to June 4<sup>th</sup> for trial in M4 at 1:30 and that's in 2011. And then from June 4<sup>th</sup> it went to trial August 26<sup>th</sup>, 2011 in M4. From that date it went to January 4, 2012 at 1:30 for trial and then it went to July 19<sup>th</sup>, 2012 at 10:30, M2 for trial. And then on May 28, 2012 there was a motion that was denied and trial date was confirmed for July 19<sup>th</sup>, this date, at 10:30 for trial and it was peremptory to proceed. And then on that date, July 9<sup>th</sup> (sic), the defendant was in agreement to present the motion before me on July 19<sup>th</sup>, therefore adjourned to 10:30 in M2. So this is really for Justice Pallett.

MR. BRUNO: Is she seized on the matter?

THE COURT: I don't know. There's nothing from July 19<sup>th</sup>—it doesn't say, but it says, she's written it, motion before me on July 19<sup>th</sup>, therefore adjourned to 10:30 in M2.

MR. CASSISTA: That was for a motion other than the one I'm bringing...

THE COURT: That was for a different motion than this motion?

MR. CASSISTA: Yeah, I was going to address this one first and see the results of this one, whether it's even—the matter is dismissed or if it's adjourned to straighten out the paperwork for proper 11(b) filing, and if that is the case I was going to address the court with another motion to dismiss based on the grounds that...

THE COURT: Okay, so before we start all these motions, Mr. Crown, do you have reasons why there was so many...

MR. BRUNO: Absolutely.

THE COURT: Okay, so maybe you could provide me with the reasons why, from your vantage point, of why there was so many trial dates that were not proceeded with and then that would give me a general idea of the issue having to do with the motions that this gentleman would like to present before the court. Go ahead.

MR. BRUNO: Thank you, Your Worship. The matter was—there was a motion on December the 20<sup>th</sup> by the defence, the defendant, to, I believe—there was a preliminary motion of a stay of proceedings, the matter was then adjourned...

THE COURT: December 20<sup>th</sup>?

MR. BRUNO: Yes.

THE COURT: 2010 and that was a motion to stay. And what was the purpose?

MR. BRUNO: The package is pretty lengthy, Your  
Worship. I believe it was a-if I could just have a  
moment here...

THE COURT: Do you have a job?

MR. CASSISTA: I'm self-employed.

THE COURT: And what do you do?

MR. CASSISTA: I'm working on an internet business  
and marketing a tax program and I work part-time  
with a few friends, construction-not construction,  
renovation.

THE COURT: How's business?

MR. CASSISTA: Paying the bills.

THE COURT: I'm just trying to understand the time  
availability here.

MR. BRUNO: So the defendant did bring a motion  
forward, Your Worship. The motion I have in front  
of me was from May the 7<sup>th</sup>, 2011 to which it  
indicates there was-he requested full disclosure on  
the said matter, however the crown brief would  
indicate that there were a number of phone calls  
and Mr. Cassista did avoid any type of disclosure  
requests that were made by our office...

MR. CASSISTA: That's not true, ma'am.

THE COURT: All right. Anyways, full disclosure  
for?

MR. BRUNO: For his said charges, Your Worship.  
Now...

THE COURT: So he wanted the disclosure, is that  
what you're saying, or you wanted disclosure for  
him with regards to his motions, stay motion?



MR. BRUNO: He made request for disclosure. It was left at the Crown's Office, which is the normal practice, and I can advise Your Worship...

THE COURT: He never picked it up, is that what you're saying?

MR. BRUNO: Correct, through numerous phone calls. We have numerous documentation here that suggest either he would say, and I can tell you this through personal...

THE COURT: Give me some dates on that, can you give me some dates on those no-show pick-ups or phone calls.

MR. BRUNO: It was left on May the 30<sup>th</sup> and it's still remains in our possession.

THE COURT: And that was May 30<sup>th</sup> what, 2010 or '11?

MR. BRUNO: 2011.

THE COURT: Okay, and that's disclosure.

MR. BRUNO: Although the requests were made on a number of occasions, February the 9<sup>th</sup>, 2012...

THE COURT: He requested disclosure on February 9<sup>th</sup>, 2012 but it's been sitting in the Crown's Office since May 30<sup>th</sup>, 2011?

MR. BRUNO: Correct. Yes, Your Worship.

MR. CASSISTA: Sorry, when was it sitting in your-you said-what was that last date?

THE COURT: As of May 30<sup>th</sup>, 2011 it was in-disclosure was-okay, so that was...

MR. BRUNO: That was left here at Police Bureau in Mississauga to which it was not picked up. In any event...

THE COURT: Is that-so when was disclosure ready?

MR. BRUNO: Disclosure was ready on May the 30<sup>th</sup>, 2011 after the first request on February the 9<sup>th</sup>.

THE COURT: And then what other time did he ask for disclosure?

MR. CASSISTA: April 19<sup>th</sup>.

MR. BRUNO: He finally picked up the disclosure request on June the 9<sup>th</sup>, 2011 at 3:30, after two phone calls were made on May the 30<sup>th</sup>, one time he actually picked up the phone and stated to call him back and then the next time it went straight to his voicemail. So he actually does have disclosure picked up as of June the 9<sup>th</sup>, 2011.

THE COURT: All right.

MR. BRUNO: Mr. Cassista then goes on to state some numerous other motions about identification of a person under the CIA (sic) to which the crown responded to that immediately.

THE COURT: Motions for what? For identification?

MR. BRUNO: A "Schedule A" is what he called it, Your Worship. It was a definition—the defence requested a definition of the work person under *Compulsory Automobile Insurance Act*, the word person is defined and he requested artificial relations to a corporation, to the government and to non-legal entities.

MR. CASSISTA: Objection, this is actually irrelevant to...

MR. BRUNO: It's your Schedule. The crown did respond to that, Your Worship, immediately on November 23<sup>rd</sup> and gave Mr. Cassista the proper requirements as he wanted with regards to a definition of a person. That was satisfied.

MR. CASSISTA: That was actually not satisfied. It didn't answer the questions I was asking, but...

MR. BRUNO: The questions-again, it's debatable, Your Worship...

MR. CASSISTA: ...regardless, none of the-none of the dates were changed in regards to...

THE COURT: Okay, so let's go back here. Let's go back here. You're playing fast and loose here.

Here's the charge, the charge was under the *Compulsory Automobile Insurance Act*, section 2(1)(a). The charge is you were driving a motor vehicle, licence number [REDACTED] did unlawfully operate the motor vehicle on Cawthra Road at 12:25

p.m. when it was not insured under a contract of automobile insurance. So, that's the charge. So, sir, we're going to deal with the charge at hand.

MR. CASSISTA: Okay...

THE COURT: Okay. Motion, shmotion(ph), I've had enough of your motions. I've had enough of this stuff. You're playing fast and loose with the process...

MR. CASSISTA: Um...

THE COURT: Excuse me. You're playing fast and loose with the process here and it's not going to happen anymore. We're going to have-right now we're going for it, we're going to have a trial. You've-I've...

MR. CASSISTA: Really, you're going to deny me my right...

THE COURT: No, you don't have any, there's nothing more to say, that's it. Nothing more to say, you

can have all your motions, you can do what you want with your motions...

MR. CASSISTA: Okay, that's fine, you go ahead.

5 THE COURT: ...if you're a corporation, identity, you're playing, you know--this is enough. Enough is enough. You're charged with a charge, it's a serious charge...

MR. CASSISTA: Well, that's grounds for appeal so you go ahead with your...

10 THE COURT: There's no grounds for appeal here, sir...

MR. CASSISTA: ...ambush trial. This is an ambush trial.

15 THE COURT: No, do you understand, sir? There's no grounds for appeal.

MR. BRUNO: Your Worship, I'll indicate to Mr. Cassista, he's still under recognizance in the Brampton Court for court behaviour...

MR. CASSISTA: Objection.

20 MR. BRUNO: ...I suggest he doesn't talk out of line at this point, Your Worship.

25 THE COURT: Okay, so do you understand, sir, there's no grounds for appeal or you may perceive that there is, but however, this court feels that the information before the court and the information provided by the crown shows that this process has been abused enough. Charge is from June 23<sup>rd</sup>, 2010 and right now it's July 19<sup>th</sup>, 2012 and there have been one, two, three, four, five, six, seven dates specifically for trial for this charge. So, you're going to at ten to 12 or seven minutes to 12 start a trial. Please stand, sir.

30

Shawn Cassista of [REDACTED] in Mississauga, on the 17<sup>th</sup> day of May, 2010, in the City of Mississauga in the Central West Region, being the owner of a motor vehicle, licence number [REDACTED] did unlawfully operate the motor vehicle on a highway, Cawthra Road, at approximately 12:25 p.m. when it was not insured under contract of automobile insurance. And this is contrary to the Compulsory Automobile Insurance Act, section 2(1)(a). How do you plead to that, sir, guilty or not guilty?

MR. CASSISTA: Innocent.

THE COURT: How do you plead guilty or not guilty?

MR. CASSISTA: I'm pleading innocent.

THE COURT: Plead not guilty or guilty, sir?

MR. CASSISTA: I'm pleading innocent.

THE COURT: Okay, well, sir, I don't understand what that means. There's two options here, you're either guilty or not guilty. Which one of these would you like to deal with?

MR. CASSISTA: I'm pleading innocent, I'm not...

THE COURT: So you...

MR. CASSISTA: ...I'm not infringing on anybody's right...

THE COURT: So this gentleman—excuse me—this gentleman is not identified—not responding to the question.

MR. BRUNO: He is under Recog—Mr. Cassista, I'll advise you one more time that you have to behave according to your Recognizance and that's to obey all court orders.

MR. CASSISTA: And if...

MR. BRUNO: Are you pleading guilty or not guilty to the charge?

MR. CASSISTA: And if I don't?

MR. BRUNO: You know the consequences of your Recog, sir.

MR. CASSISTA: No, please, no, what are the consequences? What are the consequences? I just need you to explain what the consequences are for the record.

THE COURT: You're violating a Recognizance, sir. Are you guilty or not guilty of this charge? And have you talked to the prosecutor about pleading guilty and what that might mean? Do you understand what I'm saying? Have you talked to the prosecutor with regards to this charge?

MR. CASSISTA: No.

THE COURT: All right, so I'm going to give you three minutes to talk to the prosecutor with regards to this charge and then you can come back and tell me whether you're guilty or not guilty. Two words, guilty or not guilty and you can make a decision between those two words. Do you understand me, sir? Do you understand? Do you understand me, yes or no?

MR. CASSISTA: I do not...

THE COURT: Do you understand me? Do you understand what I'm saying to you?

MR. CASSISTA: Yes, I...

THE COURT: Thank you. That's all I have to understand.

MR. CASSISTA: ...understand what you're saying to me in regards...

R E C E S S :

(11:56 a.m.)

U P O N R E S U M I N G :

(12:00 p.m.)

5 THE COURT: All right, so have you talked to the prosecutor, sir?

MR. CASSISTA: Yes, I did.

10 THE COURT: All right, so what's the plan, sir? How do you—I'll arraign you again and you can make a decision on what you'd like to plead, guilty or not guilty. Shawn Cassista of [REDACTED] on the 17<sup>th</sup> of May, 2010 in the City of Mississauga, in the Central West Region, being the owner of a motor vehicle, licence number [REDACTED] did unlawfully operate the said motor vehicle on a highway, Cawthra Road, at approximately 12:25 p.m. when it was not insured under a contract of automobile insurance, which is contrary to the Compulsory Automobile Insurance Act, section 2(1)(a). How do you plead to that, sir, guilty or not guilty?

15 MR. CASSISTA: Well, I was just instructed by the prosecutor that if I don't enter a plea one will be entered for me, so I guess we'll go that route.

20 THE COURT: I didn't understand anything you said. I'm asking you right now, how would plead—like to plead, guilty or not guilty?

MR. CASSISTA: I would—not guilty.

25 THE COURT: All right, let's plead not guilty. Are you ready to proceed?

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D. Smewing - in-Ch.

MR. BRUNO: Yes, Your Worship. Calling Constable Smewing to the stand.

THE COURT: All right, thank you. And you have disclosure, so you're ready. Let's go. Hello, sir. Please state your name?

OFFICER SMEWING: Dale Smewing, S-W-E-M-I-N-G.

DALE SMEWING: Sworn

EXAMINATION IN-CHIEF BY MR. BRUNO:

Q. Officer, you investigated the matter before this court?

A. Yes, I did.

Q. Did you make any notes?

A. Yes, I made the notes immediately after the incident took place. I have made no changes or deletions to my notes. I do have an independent recollection of this taking place and I would request that I could use my notes to refresh my notes to refresh my memory for certain facts and details.

Q. And, officer, on the said time and date of this traffic stop, who were you employed with at that time?

A. At that time it was Peel Regional Police.

Q. Thank you. And now you're currently employed by?

A. Ontario Provincial Police, Caledon.

MR. BRUNO: Thank you. With the leave of the court, Your Worship.

THE COURT: Is it okay, sir, if he uses his notes to refresh his memory.

MR. CASSISTA: I'll object.

THE COURT: Pardon me?

MR. CASSISTA: I object. I'd rather him...



THE COURT: Okay, could you please stand up, don't talk to me while you're sitting down...

MR. CASSISTA: Sorry about that.

THE COURT: ...and leaning back. Could you put that down, please, sir. Thank you. Could you please tell me the reason why you object to him using his notes when you have already had them for about a year to be able to review and utilize them for your own defence? Is there a reason why he can't...

MR. CASSISTA: Well, I just felt that...

THE COURT: ...you just would like to...

MR. CASSISTA: ..., you know, he would probably remember the incident fairly clearly without his notes. That's my reasoning.

THE COURT: All right, so what you're saying now is that he won't have the opportunity to use his notes, is that what you're telling me, sir?

MR. CASSISTA: Yeah.

THE COURT: All right, go ahead, sir.

MR. BRUNO: Q. Proceed with your evidence, officer.

A. Your Worship, on the 17<sup>th</sup> of May, 2010 at 12:25 p.m. I was operating radar-sorry, laser in the area of Cawthra Road north of Dundas Street within the City of Mississauga. It was at this time I had occasion to stop and investigate a motor vehicle for a speeding violation. The licence plate of the motor vehicle involved was [REDACTED]. This was a Pontiac Montana with a VIN number [REDACTED]. I had occasion to stop this motor vehicle and had conversation with the driver. The driver identified himself with a valid Ontario driver's licence in the name of Shawn Cassista with an address in

THE COURT: Okay, could you please stand up, don't talk to me while you're sitting down...

MR. CASSISTA: Sorry about that.

THE COURT: ...and leaning back. Could you put that down, please, sir. Thank you. Could you please tell me the reason why you object to him using his notes when you have already had them for about a year to be able to review and utilize them for your own defence? Is there a reason why he can't...

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THE COURT: ...you just would like to...

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THE COURT: All right, so what you're saying now is that he won't have the opportunity to use his notes, is that what you're telling me, sir?

MR. CASSISTA: Yeah.

THE COURT: All right, go ahead, sir.

MR. BRUNO: Q. Proceed with your evidence,

officer.

A. Your Worship, on the 17<sup>th</sup> of May, 2010 at 12:25 p.m. I was operating radar-sorry, laser in the area of Cawthra Road north of Dundas Street within the City of Mississauga. It was at this time I had occasion to stop and investigate a motor vehicle for a speeding violation. The licence plate of the motor vehicle involved was [REDACTED]. This was a Pontiac Montana with a VIN number [REDACTED]. I had occasion to stop this motor vehicle and had conversation with the driver. The driver identified himself with a valid Ontario driver's licence in the name of Shawn Cassista with an address in

Mississauga. The driver's licence number is [REDACTED]  
This is the defendant in the court today to the left of the  
prosecutor.

MR. BRUNO: Identifying the defendant before the  
court for positive identification.

THE COURT: Okay.

A. After obtaining the driver's licence and  
ownership for this motor vehicle I then made a demand to the  
driver to produce a valid insurance for the motor vehicle. At  
no time during the traffic stop did I receive any information  
that the vehicle was fully insured. As a result of this—as a  
result of viewing no valid insurance I subsequently issued a  
Part Three Summons for the offence of operate motor vehicle  
without insurance, contrary to the Compulsory Automobile  
Insurance Act, section 2(1)(a). Upon issuing the Part Three  
Summons to the defendant the discussion that I had with him was  
understanding that this Summons would be held out for two days.  
If at any time during those two days I was to receive insurance  
information, either a pink slip or letterhead I would not  
proceed with this particular charge. I then proceeded to issue  
him my business card which had my phone number, the office  
phone number where I was working at the time, a fax number as  
well as my e-mail address. I actually waited an extra—until  
the 31<sup>st</sup> of May, I still had not received any information  
regarding the insurance policy and as such I proceeded to  
proceed with the Part Three Summons, charging this gentleman  
with the no insurance. At no point from the date of the  
traffic stop, nor any of the court proceedings that we've  
attended have I ever seen any valid insurance for the day that  
that vehicle was being operated.

MR. BRUNO: Q. Thank you, officer. And the time  
you made observation of this vehicle to the time that you

Montana, blue in colour, vehicle identification number of [REDACTED], bearing Ontario licence plate number of [REDACTED]. I'll allow the defendant an opportunity to review this documentation prior to surrendering it to Your Worship as an exhibit.

THE COURT: Sure. Thank you. That is Exhibit One.

MR. BRUNO: Exhibit number one for the court's consideration in this matter.

EXHIBIT NUMBER 1 - Document from the Ministry of Transportation (produced and marked).

MR. BRUNO: And that's the case for the crown, Your Worship.

THE COURT: Thank you. Mr. Shawn Cassista, do you have anything to say, sir?

MR. CASSISTA: I do not.

#### R U L I N G

MCLEOD: J.P. (Orally)

All right. Shawn Cassista, you are here today charged with the offence of driving on Cawthra Road at 2:25 p.m. on May 17<sup>th</sup>, 2010, when it was not insured under contract of automobile insurance. Constable Smewing, on that date he was employed with the Peel Regional Police, and at 12:25 p.m. he was utilizing a laser on Cawthra Road north of Dundas. He stopped and investigated a car for speeding and that was your car, sir, a Pontiac Montana with the licence plate number [REDACTED]. He asked for valid Ontario licence and you provided one with your name and address and the likeness was similar to yours. And personally was satisfied

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that the person driving the car was in fact Shawn Cassista. He further identified you today as the same individual that was driving the car on May 17<sup>th</sup> at 2:25 p.m. He also asked you for insurance information or insurance card and at no time did he receive one from you on that date. He provided you with a Part Three Summons and he held—he stated that he was going to hold onto it for two days; gave you a business card with a phone, fax and e-mail address affiliated with himself and at any time you could provide him with that information which would in fact stop him from laying this charge. He waited until May 31<sup>st</sup>, 2010 and then proceeded with laying the charge as no information from you was provided to him with regards to your insurance.

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The elements of this charge are satisfied beyond a reasonable doubt and you are, in fact, convicted of the charge, sir, of—prior to that, under the hand and seal of Robert Flemming, Registrar of Motor Vehicles, I'll just add this into the record, that there was a letter dated 24<sup>th</sup> of June, 2010 by Robert Flemming under the hand and seal and it states that you, Shawn Cassista of [REDACTED] [REDACTED] in Mississauga, are the owner of the blue car, Montana, with licence plate [REDACTED] and that the date of issue was the 18<sup>th</sup> of April, 2010. The VIN number that is on this information is the same VIN number as VIN tag described by Constable Smewing. And he also provides, under the hand and seal of Robert Fleming, dated the 24<sup>th</sup> of June, 2010

a letter with an attached computer type out with regards to the ownership of the car and the type of car and also the validation sticker with regards to that car.

5  
The elements of this charge are satisfied beyond a reasonable doubt and you, sir, are convicted of the charge of being the owner of the motor vehicle, travelling on Cawthra Road, in a car with licence number [REDACTED] were stopped and not having insurance which is contrary to the Compulsory Automobile Insurance Act, section 2(1)(a).  
10  
Conviction. Fine, sir?

MR. BRUNO: Seek the minimum fine, no prior allegations, \$5000.

15  
THE COURT: Five thousand dollars, sir. Do you need time to pay that?

MR. CASSISTA: Lot's of time. That's-like just can't even come close to affording that right now.

20  
THE COURT: Well, here, one year and what you can do is if you pay a certain amount of money, minimal amount of money every month you can, in fact, come back and have it extended, the time extended, all right, sir?

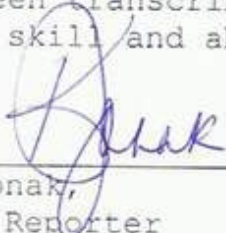
25  
CLERK OF THE COURT: Mr. Cassista, if you'll come forward, sir. This will give you payment instructions.

THE COURT: Thank you.

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...WHEREUPON THESE PROCEEDINGS WERE CONCLUDED

THIS IS TO CERTIFY THAT the  
digitally recorded evidence  
that was taken by I. Jaskiewicz  
has been transcribed to the best  
of my skill and ability.

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Kim Jonak,  
Court Reporter

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