



August 20, 2008

Mr. Chris G. Paliare  
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**Re: Inquiry Committee regarding The Honourable Mr. Justice Paul Cosgrove**

Dear Sir:

You have asked me to provide you with a letter setting out my views on Justice Cosgrove's character in respect of his integrity, fairness and competence based on my knowledge of and dealings with him. I am pleased to do so.

I first met <sup>Justice</sup> Cosgrove in 1988 or 1989 while acting as a defence counsel in a lengthy and somewhat complicated personal injury case. It was a jury trial presided over by Justice Cosgrove. Throughout the trial Justice Cosgrove acted in a most gentlemanly fashion. He was fair and even handed in his decisions during the course of the trial. His charge to the jury was fair and reasonable to both sides setting out their respective positions and giving the jury appropriate ranges of damages depending on what view they took of the evidence. There was nothing in Justice Cosgrove's conduct at that time to call into question his competency as a trial judge and nothing has come to my attention since that time to change my views in that respect.

I was appointed a judge of the Superior Court of Justice in late 1991 and came to know Justice Cosgrove as a colleague. From time to time I would be assigned to the old Brockville courthouse. When I was working in Brockville, Justice Cosgrove insisted that I occupy his comfortable and relatively spacious chambers while he moved out to occupy a cubby hole adjacent to the judges' entrance to the courtroom.

I came to know Justice Cosgrove as a loving husband and devoted father and grandfather. He spoke often of his children and grandchildren.

Based on my knowledge and dealings with him, I have never known Justice Cosgrove to lack integrity as a person and as a judge. To my knowledge, he has always dealt fairly with those that came before him. I have never known him to judge a case other than on his honest view of the evidence and his understanding of the law.



Has he made mistakes as a trial judge? Yes, as we all have from time to time. The Court of Appeal found that he made many mistakes in the Elliott case, but to suggest that he was motivated by bias against the Crown or in favour of the accused, in my view, does not in any way describe the person and judge that I have come to know and respect over the last 20 years.

If there is any further information that you require, please let me know.

Yours very truly,

The Honourable G.R. Morin

GRM:dmo