

IN THE MATTER OF THE TORONTO COMPUTER LEASING INQUIRY

BEFORE: THE HONOURABLE MADAM JUSTICE DENISE BELLAMY
COMMISSIONER

HELD AT: East York Civic Centre
850 Coxwell Avenue
Toronto, Ontario
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SUBMISSIONS TO THE COMMISSIONER OF THE TORONTO COMPUTER LEASING INQUIRY BY COUNSEL FOR KATHRYN BULKO

A. OVERVIEW

1. Kathryn Bulko (“Bulko”) awaits the delivery of the submissions of the City of Toronto in relation to the operation of the Contract Management Office (“CMO”) and the administration of the MFP leases before making submissions on those issues.
2. On August 1 and 18, 2003, Bulko delivered written submissions with respect to allegations made against her by Paula Leggieri (“Leggieri”). For ease of reference, a copy of those submissions are attached hereto.
3. The Commissioner made an interim ruling in relation to Leggieri’s on September 26, 2003 (“Ruling”). For ease of reference, a copy of the Ruling is attached hereto.
4. The Commissioner concluded that Bulko did not threaten Leggieri and that Leggieri did not lose her position with the City for co-operating with the Inquiry or with KPMG.

5. Leggieri made two other serious allegations against Bulko that the Commissioner deferred to be dealt with in the Final Report.

6. Leggieri alleged that:

a) Bulko had an intimate or romantic relationship with Dash Domi (“Domi”)¹; and

b) Bulko was motivated to threaten Leggieri because she wanted to suppress her own role in dealing with the MFP leasing schedules.²

7. These outstanding allegations by Leggieri are groundless. They are also highly prejudicial to Bulko’s name and character. Bulko respectfully requests that express findings be made in the Commissioner’s Final Report dismissing these remaining Leggieri allegations.

B. RELATIONSHIP BETWEEN BULKO AND DOMI

8. In her testimony to the Commission on April 9, 2003, Leggieri alleged, primarily through innuendo, that Bulko had an intimate or romantic relationship with Dash Domi (“Domi”).³

9. On cross-examination on June 16, 2003, Leggieri was asked directly whether she saw anything in the dealings between Bulko and Domi which led her to believe that there was an intimate relationship between them. Leggieri said “I don’t know, and I don’t care. I don’t know.”⁴

¹ Commissioner’s Ruling, September 26, 2003, page 9

² Commissioner’s Ruling, September 26, 2003, page 5

³ Testimony of Paula Leggieri, April 9, 2003, page 97 line 8 – 15; page 101 line 22

⁴ Testimony of Paula Leggieri, June 16, 2003, page 177 line 6 - 18

10. Leggieri admitted that she didn't see anything that would lead her to believe that there was anything beyond a platonic relationship between Bulko and Domi and that she just saw a friendship.⁵

11. Contract management office employees Felix Di Brina, Michael Franey, Chris Hull, Pam Josson, Annie Leung, Andy Lok, Line Marks, Debra Parent, Cathy Stagliano and Stephen Wong all testified that they neither heard nor saw anything to suggest that there was an inappropriate relationship between Bulko and Domi.⁶

12. Further, Leggieri's credibility was seriously damaged by the evidence of Councillor John Filion ("Filion"). When Filion terminated Leggieri's employ in 1999, Filion wrote: "Poor work ethic. Tasks not completed. Not always truthful."⁷

13. Leggieri's evidence was wholly inconsistent with the evidence of Filion with respect to the circumstances and discussions between them at the time of her termination.^{8 9} It is submitted that the testimony of Filion should be preferred over the testimony of Leggieri.

14. It is submitted that there was no credible evidence before the Inquiry that Bulko sought to suppress her role in creation of the MFP lease schedules.

C. CONCLUSION

⁵ *ibid.* page 177 line 19- 22; page 178 line 15 - 20

⁶ Affidavit of Felix Di Brina, para. 10; Affidavit of Michael Faney, para. 4; Affidavit of Chris Hull, para. 8; Affidavit of Pam Josson, para. 11; Affidavit of Andy Lok, para. 6; Affidavit of Line Marks, para. 8; Affidavit of Debra Parent, para. 9; Affidavit of Cathy Stagliano, para. 7

⁷ Notice of Termination, Leggieri Volume II, Tab 7

⁸ Testimony of Leggieri, June 16, 2003 page 157 line 12;

⁹ Testimony of Filion June 18, 2003 page 185 line 24, page 186 lines 13 – 21, page 188 lines 6 - 25

15. Leggieri's allegations against Bulko are a character smear based on groundless innuendo. The allegations have caused enormous prejudice and damage to Bulko.

16. Bulko respectfully requests that as part of the Commissioner's Final Report, express findings be made dismissing Leggieri's allegations.

Date: August 13, 2004.

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