

## **IN THE MATTER OF THE TORONTO COMPUTER LEASING INQUIRY**

### **AFFIDAVIT OF NAVJEET MANGAT**

I, Navjeet Mangat, of the City of Brampton, in the Region of Peel, in the Province of Ontario, **MAKE OATH AND SAY:**

#### **BACKGROUND**

1. From September or October of 1999 until 2003, I worked for Toronto lobbyist Jeffery S. Lyons. In 2000, Mr. Lyons launched the Lyons Group, a business that provided services to clients who wished to develop relations with the provincial and municipal government. At the Lyons Group, I served as the Policy and Research Manager, conducting public policy research that would be beneficial to our clients.
2. When I began working for Mr. Lyons, he was counsel to the law firm Morrison Brown Sosnovitch LLP (MBS), and had an office at their Toronto St. location.
3. In June 2001, the Lyons Group relocated on the seventy-second floor of First Canadian Place in downtown Toronto. The office space was leased from the law firm Power Budd LLP.
4. In the move from the MBS offices to Power Budd LLP, Mr. Lyons, to the best of my knowledge, took only his active client files with him. Mr. Lyons left some documents in the file cabinets of the office he was vacating.

#### **RETRIEVING TWO BOXES FROM MORRISON BROWN SOSNOVITCH LLP**

5. In September 2001, Mr. Lyons instructed me to retrieve two of his files from MBS that were in storage.
6. Mr. Lyons knew that MBS had put his boxes in storage, but he did not know exactly where the boxes were.
7. My contact at MBS was Helen Almada. The firm retrieved the boxes from a Tippet-Richardson storage facility, and invoiced Lyons Group \$29.00 for the effort.
8. Mr. Lyons sought to retrieve two files, both pertaining to old clients he had in his law practice. Neither file had anything to do with the Terms of Reference of the

Toronto Computer Leasing Inquiry or the Toronto External Contracts Inquiry whatsoever.

9. The two files Mr. Lyons sought were stored in two separate boxes – boxes that contained several files. MBS delivered the boxes to Lyons Group, as opposed to simply sending the relevant files themselves. When the boxes were delivered, Mr. Lyons' assistant took the relevant files out.

## **DELL FINANCIAL SERVICES**

10. Dell Financial Services Ltd. (DFS) was a client of Mr. Lyons while he was at MBS.
11. In 2002, Commission Counsel for the Toronto Computer Leasing Inquiry requested that Mr. Lyons provide all relevant documents pertaining to his work with DFS. Mr. Lyons instructed me to attempt to locate his DFS file from storage suggesting that I contact MBS.
12. Mr. Lyons was aware that some of his “Dell files” could have been in storage.
13. I was informed by Ms. Almada that it would be impossible to retrieve a file absent an identification number, which we did not have. I relayed what Ms. Almada had told me to Mr. Lyons.
14. I am not aware of any subsequent steps that may or may not have been taken in regards to retrieving the DFS documents. I do not know how and where MBS found the DFS file. I just asked them to look in storage.
15. I understand that Mr. Lyons testified that he “probably” instructed one of his employees to destroy the DFS file after they were no longer one of his clients. Mr. Lyons never instructed me to destroy this or any other file. I have no personal knowledge of any instructions he may have given to his secretary, Gail Miltonberg.

## **GENERAL DEALING WITH FILES**

16. During the years I worked under Mr. Lyons, there was never any policy or practice to destroy any client files. Either Mr. Lyons kept his files at the offices, or he would ask us to “dead suit” files, and have them placed in a storage facility.
17. Aside from standard office shredding, I never physically destroyed a file while working for Mr. Lyons, and as I said before, I was never asked to.

## **MEMOS TO FILE**

18. It was the practice of Mr. Lyons to summarize most of his work meetings in the form of a memorandum. These memos would then be placed in a file.
19. If his assistant, Susan Cross, were in attendance at the meeting, she would usually prepare the memo herself. If not, Mr. Lyons would dictate it for transcription. Either way, I believe Mr. Lyons would review these memos.

## **CONTACTS IN THE CITY OF TORONTO INFORMATION AND TECHNOLOGY DIVISION**

20. I am unaware of any relationships that Mr. Lyons had with employees at the City of Toronto's Information and Technology Division, including Jim Andrew, Steven Wong, Kathryn Bulko, Michael Franey or Lana Viinamae.

## **MR. LYONS CONTACT AT THE CITY**

21. A 10 June 1999 memorandum to file from Mr. Lyons concerning a meeting he had with DFS representatives Scott Marentette and Robert Simone and Dell Canada representatives Bruce Mortensen and Dave Kelly appears to have been transcribed by Gail Miltonberg. Ms. Miltonberg was Mr. Lyons assistant for many years, and retired in 1999.
22. In the memo, Mr. Lyons makes reference to "my contacted (sic)", I assume referring to a contact Mr. Lyons had at the City that he did not wish to identify.
23. I do not have any idea who Mr. Lyons' contact at the City was.

## **MEETING WITH ROBERT SIMONE AND SCOTT MARENTETTE WHERE A \$150,000 FIGURE FOR MR. LYONS WAS DISCUSSED**

24. The first I heard of a meeting Mr. Lyons had with DFS representatives Mr. Marentette and Mr. Simone was when it became a major local news story in the fall of 2002.

## **FINANCIAL DEALINGS WITH CLIENTS**

25. I did not attend meetings with clients where matters of a financial nature were discussed, though I believe that Ms. Cross sometimes did.

26. Mr. Lyons would always send a letter to a client confirming a financial relationship with them. Matters such as success or contingency fees, or lack thereof, would always be put in writing in the retainer letter. It was standard operating procedure for Mr. Lyons.

### **FLEET LEASING**

27. I assume Mr. Lyons had some involvement in the City's Fleet leasing. On occasion Mr. Lyons instructed me to get a document from Councillor Jane Pitfield. The document either was the minutes or agenda of a meeting of City Council or a Standing Committee, or the agenda of same involving "Fleet" (which is the way Mr. Lyons put it when he instructed me to get the document). Councillor Pitfield and I did not have a conversation, and I had no further involvement in fleet leasing. I did get some copy of the minutes or agenda from her involving "Fleet" and either put in Mr. Lyons' slot or gave it to him directly.

### **SUSAN CROSS**

28. Mr. Lyons placed a great deal of trust in Ms. Cross. I believe he considered her honest, hardworking and very competent. I assumed he considered her a very good note taker because she went with him sometimes to observe and take notes, which he reviewed.

### **IRENE PAYNE**

29. I was aware that Mr. Lyons had some sort of disagreement with Irene Payne of MFP Financial Services Ltd., but was not aware of what the origin of their contentiousness was.

### **DASH DOMI**

30. I never saw MFP sales representative Dash Domi at our offices, either when we were at MBS or when we had moved to First Canadian Place.
31. Though I do not recall the date, I remember being present for an attempted interaction between Mr. Lyons and Mr. Domi. I was in a car that was being driven by Mr. Lyons, when he spotted Mr. Domi walking past the car alongside the King Edward Hotel, which was near the MBS office. Mr. Lyons pressed the car's horn in an attempt to get Mr. Domi's attention. I do not recall Mr. Domi's reaction, if any, to hearing the sound of the horn.

**PAUL GODFREY**

- 32. Mr. Lyons and Paul Godfrey have been close friends for many years. The two have a very good relationship. In fact, Mr. Godfrey is the godfather to one of Mr. Lyons children.
- 33. Despite their close relationship, I never once saw Mr. Godfrey in Mr. Lyons' office. However, the two would be in telephone communication with each other regularly.

**RELATIONSHIP BETWEEN JEFFERY S. LYONS AND TOM JAKOBK**

- 34. The only information I have concerning a 25 May 1999 meeting in which Mr. Lyons introduced DFS representative Scott Marentette to Councillor Tom Jakobek is based on what I have read in newspaper reports concerning testimony before the Inquiry. I have no independent knowledge of that meeting. I was not employed by Mr. Lyons at the time that meeting took place.
- 35. The only time I saw Mr. Lyons and Mr. Jakobek together was at Mr. Lyons' annual Brother Jeff Golf Tournament in 2002. I do not recall seeing Mr. Jakobek at the tournament in either 2000 or 2001.
- 36. Mr. Jakobek arrived at the tournament by himself, and we placed him in a foursome.

**SWORN BEFORE ME** at )  
 the City of Toronto in )  
 the Province of Ontario )  
 , 2004 )  
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**NAVJEET MANGAT**

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**A COMMISSIONER, ETC.**