


**From:** Darryl Ross darrylundunlin@gmail.com   
**Subject:** Re: Update  
**Date:** September 24, 2021 at 1:31 PM  
**To:** Alison Boyce Alison.Boyce@mannlawyers.com  
**Cc:** Noel Lamontagne noel.lamontagne@mannlawyers.com

DR

Dear Ms. Boyce,

I am actively seeking suitable counsel to represent me, but until such time as I do I consider the matter of the decision that a complete denial of access is necessary at this time, and that it be enforced by Ms. Holmes without discussion, in denial of request for information, and based solely on an as yet unexplained feeling that she describes experiencing, which did not warrant urgent action on her part

I maintain that this is in fact an urgent matter, even if it is not deemed so in this jurisdiction. I do not believe the balance of probabilities support your client's decision.

I am writing to request a status update on the response expected today, and to add the following:

Given the opportunity, I would also like to take this time to amend my offer as follows, so long as it does not delay a response on how this matter can be moved forward.

To the proposal that I have made for the first two weeks I would like to add:

- I will meet and walk Alice and Charlotte to school two days per week, on agreed upon days (that meeting will take place at the sidewalk adjacent Ms. Holmes property, with a suitable adult)
- I will meet Charlotte and Alice at school the afternoon of those same days and walk them back to Ms. Holmes property (according to COVID regulations, and I will remain on the sidewalk adjacent Ms. Holmes property with our daughters until a suitable adult is present)
- This arrangement will remain regardless of weather and both Charlotte and Alice will be dressed appropriate to the weather.
- On the two days that I meet Alice and Charlotte after school we will have the opportunity to go to a park after school for at least 1 hour, weather permitting.
- If these first two amended weeks are successful the schedule will continue as set without interruption.

In addition, and in order to find an interim way forward, I would also like to add:

- The proposal I made for weeks 3 & 4 is negotiable in good faith following weeks 1 & 2
- This would mean that as long as weeks 1 & 2 are successful they would continue without interruption regardless of the desire of either party to change the proposal for weeks 3 & 4
- Discussion of and agreement on weeks 3 & 4 will not be delayed due to availability of either party

Currently there is a temporary order in place. This needs to be amended. I am requesting that we work together to address as many outstanding issues as we can before a hearing is possible.

I have emailed [ottawafamilycourt@ontario.ca](mailto:ottawafamilycourt@ontario.ca) to ask when hearings will take place. I assume you know better than I when that is possible, and so I am formally asking for your availability.

My position is that the matter of access be dealt with immediately, and other issues be dealt with in a timely manner but with agreed upon deadlines.

It is my hope that an agreement can be reached which is specific, detailed, and not open to ongoing dispute outside of parameters agreed upon in advance and involving outside professionals.

I am making this offer of my own accord, on an interim basis. I am making it in good faith as a way to solve the immediate allegation and decision made by your client.

When I have legal counsel she will be in touch. In the meantime and going forward I do not know the legal terms, but unless Alice and Charlotte's well being is negatively impacted by my proposal I stand by it.

Thank-you,

Darryl

On Sep 20, 2021, at 10:29 AM, Alison Boyce <[Alison.Boyce@mannlawyers.com](mailto:Alison.Boyce@mannlawyers.com)> wrote:

Dear Mr. Ross,

I will provide you with a response by September 24<sup>th</sup>.

Thank you,  
Alison

As an essential service, we are still operating and are here to assist you, while respecting Provincial guidelines to ensure the health and safety of our staff and community. Please visit our [COVID-19 Resource page](#) for answers to frequently asked questions, other useful information and important links.

**Alison Boyce • Lawyer • 613-566-2081**

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**From:** Darryl Ross <[darrylundunlin@gmail.com](mailto:darrylundunlin@gmail.com)>  
**Sent:** September 17, 2021 5:16 PM  
**To:** Alison Boyce <[Alison.Boyce@mannlawyers.com](mailto:Alison.Boyce@mannlawyers.com)>  
**Cc:** Noel Lamontagne <[noel.lamontagne@mannlawyers.com](mailto:noel.lamontagne@mannlawyers.com)>  
**Subject:** Re: Update

Hi Ms. Boyce,

I understand you have been busy but I remain concerned that the decision made by your client is important and deserves to be treated as such. I have not received a response since you notified me that you were scheduled to attend court on this past Tuesday. I kindly ask that you provide me a date that I can expect a response from you.

Thank-you,

Darryl Ross

On Sep 10, 2021, at 5:48 PM, Darryl Ross <[darrylundunlin@gmail.com](mailto:darrylundunlin@gmail.com)> wrote:

Hi Alison,

Thank you for updating me and letting me know your availability. I imagine you're quite busy having just moved. Kindly provide a response by the 17th. Given the seriousness of the decision to deny Charlotte and Alice's right to access I believe this a matter that need not be extended unnecessarily.

In the meantime I am requesting that the information about the diagnosis of trauma and any other health, school, child care, activities and other important information about Alice and Charlotte be forwarded.

Thank you,

Darryl

On Sep 10, 2021, at 16:59, Alison Boyce <[Alison.Boyce@mannlawyers.com](mailto:Alison.Boyce@mannlawyers.com)> wrote:

Dear Mr. Ross,

I confirm receipt of your email.

Kindly note that I am in court on September 14<sup>th</sup> and will not be able to respond to you by your proposed deadline.

As well, I am now in the office at Mann Lawyers on a full-time basis so there is no further need to copy Ms. Wright on your future correspondence.

Sincerely,  
Alison

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**From:** Darryl Ross <[darrylundunlin@gmail.com](mailto:darrylundunlin@gmail.com)>  
**Sent:** September 10, 2021 11:42 AM  
**To:** Kathleen Wright <[kate.wright@mannlawyers.com](mailto:kate.wright@mannlawyers.com)>  
**Cc:** Alison Boyce <[Alison.Boyce@mannlawyers.com](mailto:Alison.Boyce@mannlawyers.com)>  
**Subject:** Re: Update  
**Importance:** High

Hi Alison,

I have concerns about information provided to me to date that deserve further discussion and consideration.

The basis upon which Ms. Holmes judged a complete denial of access necessary at this particular time is not at all clear. Ms. Holmes wrote that it was due to trauma experienced by our daughters on 30 August. Kate explained on 2 September that Ms. Holmes will not reconsider her decision until certain specific details about treatment are provided to Ms. Holmes directly. On 3 September Ms. Holmes wrote that she started searching for some individual counselling for Charlotte in August.

I kindly request the name of the person who made the diagnosis of trauma for both of our daughters and the reason why that professional did not recommend further counselling support for Alice.

I also ask for the reason why the urgent decision for a complete denial of access was not followed up with urgent action. I have been actively engaged in treatment at the same time and know of urgent mental health care resources that have been set up during COVID by the City of Ottawa, The Royal, our local health network, the provincial government, as well as private health care professionals.

I have provided further details following Kate's description of Ms. Holmes requests without confirmation of receipt or response. I am concerned that proof of sobriety and treatment adherence are not being considered, and will not remain the reason provided for the decision to deny access. If Ms. Holmes continues to judge it necessary to deny access please provide the specific criteria she requires.

I am also very concerned about the timing of this decision. I believe that it deprives Charlotte and Alice from the benefits of seeing their father become healthy, from learning about the progress of the illness, and from feeling reassurance. It also compounds the unnecessary stigma associated with alcohol use disorder that affects all family members, especially children.

This discussion necessarily includes information about my personal health and my private health records. I have ongoing concerns about the use of this information beyond the scope of making decisions about the well-being of Charlotte and Alice. I ask again that Ms. Holmes maintain my privacy and refrain from sharing private information unnecessarily.

There are other concerns as well, but I feel that denying our daughters access is the most urgent and deserves timely attention and a reasonable agreement to move forward. I propose the following as way to establish routine and a basis for moving forward. Pro

- For the next two weeks:
  - Weekly FaceTime on a scheduled day and time that is suitable for Charlotte and Alice (not immediately before or after other activities, school, etc.)
  - A weekend visit for not less than two hours at a local park (or indoors weather dependent), on a schedule day and time (not immediately before or after other activities, school, etc.)
- For the following two weeks:
  - The same as above, maintaining the same schedule, with an additional weekday visit after school (dropped off at my house following the end of school) until 7 pm, including dinner, after which I will walk them home (at the sidewalk if necessary, and if an adult is present to meet them).
- Weeks 3 & 4 are dependent on weeks 1 & 2 being successful.
- If after weeks 1, 2, 3 & 4 are successful, the schedule will be maintained and the weekend visit will be extended to a half-day (9 am - 2 pm, or 3 pm - 7 pm)
- After this period we agree to discuss the best way to further the access schedule for Charlotte and Alice

I kindly ask for a response by the 14th of September.

I will provide updated financial information as soon as possible, but trust this will not delay the issue of access.

Thank-you,

Darryl Ross.

On Sep 2, 2021, at 5:10 PM, Kathleen Wright <[kate.wright@mannlawyers.com](mailto:kate.wright@mannlawyers.com)> wrote:

Dear Mr. Ross,

I have reviewed your email and discussed same with Cynthia. As Cynthia has already indicated to you, she is not prepared to schedule any access with the girls at this time, including Facetime. She acknowledges that you have provided some information about the supports you are accessing but your email is very short on details and particulars. For example, Dr. Bowling's note does not include details about how often he is seeing you or what treatment he has recommended.

Cynthia would like to have specific information about the treatment you are **currently** accessing, including the treatment provider, how often the treatment is provided and supporting documentation regarding your attendance and participation in said treatment. If you are doing a weekly screen for alcohol and drug use, Cynthia would also request that the results be provided to her.

Please also provide information regarding your employment status or return to work plan.

While access will not occur at this time, Cynthia will make arrangements with you directly for someone to pick up the gift and card for the girls. As requested in the past, please do not attend at her property, even to leave a gift on the step.

Regards,  
Kate Wright

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**From:** Darryl Ross <[darrylondunlin@gmail.com](mailto:darrylondunlin@gmail.com)>  
**Sent:** Thursday, September 2, 2021 10:31 AM  
**To:** Cynthia Holmes <[cynthmholt@gmail.com](mailto:cynthmholt@gmail.com)>; Alison Boyce <[Alison.Boyce@mannlawyers.com](mailto:Alison.Boyce@mannlawyers.com)>; Kathleen Wright <[kate.wright@mannlawyers.com](mailto:kate.wright@mannlawyers.com)>  
**Cc:** Alison Boyce <[aboyce@perlaw.ca](mailto:aboyce@perlaw.ca)>  
**Subject:** Update

Hi Cynthia,

Thank you for letting me know your point of view. I share your concern and following up from my requests for information about the girls well-being, please update me on what supports you have found for them to address your concerns, including the counselling they are in for support and the counsellor or doctor that has been working with them (following up from communication first sent on 30 January).

To add to the information that I shared about my treatment plans and treatment providers, including emails or texts on 19 June, 25 June, 30 July, 26 August and 30 August, I have included a note from Dr. Bowling that I received yesterday during my weekly meeting with him. I included Dr. Bowling as part of my treatment because he works in the field of addiction and recovery, because I can see him in person each week, and because I can provide a urine screen for alcohol and drugs directly in his office immediately before seeing him each week. I continue to maintain Dr. Brenhouse as my primary physician and family doctor and attend the sleep clinic at The Royal Ottawa where I work with Dr. Souci. I continue to use the skills developed participating in S.M.A.R.T. Recovery. During the period of extreme anxiety that I informed you about I further reached out to and was in contact with the RAAM clinic at The Royal Ottawa, Service and Access Recovery, and Rideauwood Addictions and Family Services Ottawa. I have also found support through Family Services Ottawa, family members, and people that I have met who share similar experiences. I have contacted Dr. Sharon Francis Harrison, the child psychologist that we briefly brought Charlotte to in 2016 and who I continued to work with afterward for additional support, and Dr. Carol Milstone, who I worked with during 2015-2017. Most recently I discovered a counsellor who we worked with at The Children's Aid Society who is now independent and has experience that is valuable in addition to the medical treatment, individual counselling and personal support that I have developed and maintain.

Following up from my attempts to communicate about contact with the girls, contact the girls, set a time to contact the girls, contact the girls following plans made, requests to discuss setting up a routine and reasonable time to communicate with the girls, requests to plan time to visit with the girls, offers to plan time to visit with the girls with a supervisor in the interim, including but not limited to 28 January, 24 April, 4 March, 27 March, 25 April, 26 & 27 June, 30 & 31 August.

I have cc'ed Alison and Kate as requested. Moving forward, and following up from repeated emails following your preference to communicate to or via Alison, communication to you informing you of Alison's preference not to communicate directly with individuals without legal representation (self-represented litigants), and repeated observations made in communication to you and Alison about my continuing confusion about who I should communicate with, strictly for and with the goal of trying to achieve the best outcome for Charlotte and Alice, I ask that you provide explicit direction to Alison or Kate to communicate with me if that is your preference, or communicate with me directly via email or text or another convenient platform, in order to establish reasonable communication solely concerning the girls.

Kindly reconsider arranging a time for the girls to FaceTime with me today or tomorrow, and to arrange a time to spend with them on the weekend to celebrate Charlotte on her birthday. My mom would like to be there as well, and is available to make plans either day, with notice since she lives outside of Ottawa.

I have a gift and card for the girls that I would like to drop off Friday or Saturday. Please let me know what time is reasonable, and I will leave it on the step.

Thanks,

Darryl

- This information is private. Please refrain from sharing my medical information with members of my family, my friends, and anyone else not relevant. Please do not include my mom or other members of my family in emails or texts.

The address on the included note is not correct. Ongoing weekly notes verifying I remain abstinent

- The address on the included note is not correct. Ongoing weekly notes verifying I remain abstinent and compliant with treatment recommendations will include my correct address, which has not changed.

<image001.jpg>

