

March 6, 2023

Patrick Fox

To be delivered in person in court March 7, 2023

Re: R v Fox, Vancouver 244069-10BC

Dear Mr. Fox,

Ms. Laker and I interviewed Johnny Lam today, March 6 2023, anticipating that he will testify at the trial continuation tomorrow, March 7.

We showed Mr. Lam the Proxy Server Log (exhibit 12, the "Log") and discussed it with him. The following are notes, not verbatim or chronological, of new disclosable information that arose in this discussion:

- The search Mr. Lam performed to generate the Log would have captured records of various types including security logs and access logs.
- All the entries in the Log itself are security log entries.
- By "access logs", Mr. Lam meant that the search he performed to generate the Log would have captured attempted access by VPD users to desicapuano.com on May 16-17 if any had still been retained when he ran the search on October 12.
- However, those access log entries "roll over" after a period of time and are lost, and that is what Mr. Lam believes happened between May and October 2022.
- The entries on the Log show the proxy server scanning elements from the website desicapuano.com, reflecting some attempt to access that website.
- Based on their current policies, desicapuano.com was not on any VPD whitelist and Sgt. McElroy would not have been able to access it from an ordinary VPD computer with her level of internet privileges.
- The VPD Annex and the Graveley office are on the same server and internet access is the same at both.
- Mr. Lam has no recollection of any internet outages on May 16-17 2022.
- The time stamps on the Log are when the server performed its security scans, not necessarily when the user attempted to access the website; sometimes there is some delay before the server has capacity to perform a security scan.
- The activity of VPD users who do not have internet restrictions, including Hunchly users and some surveillance teams, would not be reflected in the Log.
- Mr. Lam is not familiar with Catherine Meiklejohn and does not know her level of internet access.

Thank you,

Ryan Elias

Crown Counsel