

Nicola Valley Fish and Game Club Closing Argument

EVIDENCE

A) General picture

Road

1. By 1891 there was a well-established road from Quilchena to Minnie Lake; (0080); There is evidence of public funds being spent on it in 1903; A letter in 1913 refers to "many settlers going into the Penask Lake Country" (tab 8, p. 62) and a 1913 crown grant shows a "waggon road" in the location of the present Penask Road (tab 9, p. 71). There is positive evidence of the road having been extended to Penask Lake by 1920 (ex. 31). Public funds were spent on this portion of the road from at least 1903 (tab 3).

2. Prior to 1929 a "nice fishing lodge" was built on Penask Lake (tab 10) and an egg collection station was built on Penask Creek. The only access to this and to the settlers in the Penask Lake Country was by way of the road by then called "Penask Lake Road" (tab 10). Public funds were spent on this section of the Road from at least 1930 (tab 10, p. 87).

3. By 1931 the Penask Lake Road was sufficiently well established and recognized to be a government road that the Ranch applied for an order in council to authorize gates on the road (tab 11, p. 95). The government absorbed the cost of 52 official notices requiring the gates to be opened and closed by persons using same (tab 11, pp. 102, 104).

4. There is overwhelming evidence that public expenditures were regularly made on maintenance, culverts, bridges etc. The cost of maintaining the 4.62 km section renamed Stoney Lake Road #281 has been conveniently calculated to be approximately \$10,000 per year (ex 15, tab 5, para 7). Payments to the contractor for Stoney Lake Road #281 will continue until June 30, 2019 when the current maintenance contract comes to an end.¹

5. However, in about 1990 the grader operators were prevented from working on this section of road by the placement by the Ranch of a locked the gate that blocked access.² Notwithstanding this difficulty, the Stoney Lake Road #281 remained in the Road Features

¹ Nicola Brief, tab 49, p. 402, section 3.01 and p. 405 "Service Area 14": because the cumulative net change to the daily cost was less than 2% no reduction of payments was made to the contractor during the life of the contract.

² Affidavit of Theodore Phillip Finnegan, para 5; affidavit of Gary Wayne Watson, para 6 (Nicola Brief of Affidavits, tabs 3 & 13).

The Closing Argument

**Michael S. Lief, Harry M.
Caldwell, Benjamin Bycel**



The Closing Argument:

Effective Closing Argument Peter C. Lagarias, 1989 Examples of summations from such famous advocates as Daniel Webster Abraham Lincoln Clarence Darrow F Lee Bailey and many others are provided in this hardbound text Each summation is interspersed with analysis comments and questions often by the advocates themselves to point out principles attorneys can apply in their own final arguments

The Devil's Advocates Michael S Lief, H. Mitchell Caldwell, 2006-08-29 Publisher Description *Ladies And Gentlemen Of The Jury* Michael S Lief, H. Mitchell Caldwell, Ben Bycel, 1999-03-31 The closing arguments from ten noteworthy cases lawyers and nonlawyers will enjoy the passion and eloquence of these counselors practitioners of law will find much to learn from them Los Angeles Times Book Review Until now only the twelve jurors who sat in judgment were able to appreciate these virtuoso performances where weeks of testimony were boiled down and presented with flair wit and high drama For five years the authors researched every archive and readers can now lose themselves in the summations of America's finest litigators Clarence Darrow saves Leopold and Loeb from the gallows in the Roaring Twenties Gerry Spence takes on the nuclear power industry for the death of Karen Silkwood in a modern day David and Goliath struggle Vincent Bugliosi squares off against the madness of Charles Manson and his murderous family in the aftermath of their bloody spree Clara Foltz the first woman to practice law in California argues passionately to an all male jury defending her place in the courtroom Bobby DeLaughter brings the killer of civil rights leader Medgar Evers to justice after thirty years and two mistrials Aubrey Daniel brings Lt William Calley Jr to justice for the My Lai massacre William Kunstler challenges the establishment after the 1968 Chicago riots in his defense of yippie leaders known as the Chicago Seven Each closing argument is put into context by the authors who provide historical background a brief biography of each attorney and commentary pointing out the trial tactics used to great effect by the lawyers all in accessible reader friendly language

The Lost Art Joseph F. Anderson, 2002 *Ladies and Gentlemen of the Jury* Michael S. Lief, Harry M. Caldwell, Benjamin Bycel, 2008

Litigating the Sexual Harassment Case Matthew B. Schiff, Linda C. Kramer, 2000 Whether representing the plaintiff or defendant this book provides the attorney with valuable tips on pretrial and trial tactics

The How-to-win Trial Manual - Sixth Edition Ralph Adam Fine, 2015-02-01 Win More Cases and Help More Clients Ralph Adam Fine pulls no punches In the sixth edition of his highly acclaimed How To Win Trial Manual shows why the traditional ways to try a case in court are suicidal and gives extensive examples of such suicidal advocacy by famous high profile well paid trial lawyers In each of his examples Ralph Adam Fine shows how the lawyers could have done a better job This will help you hone your winning skills Ralph Adam Fine also demonstrates why many of Irving Younger's famous Ten Commandments of Cross Examination are not only wrong but why following them significantly reduces your chances of winning Since it was first published by JURIS in 1998 Ralph Adam Fine's The How To Win Trial Manual has been giving lawyers that special edge so they can win even the toughest cases Now in this newly revised sixth edition The How To Win Trial Manual takes the

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International Criminal Procedure Göran Sluiter,Håkan Friman,Suzannah Linton,Sergey Vasiliev,Salvatore Zappalà,2013-03-21 *International Criminal Procedure Principles and Rules* is a comprehensive study of international criminal proceedings written by over forty leading experts in the field The book offers a systematic overview and detailed comparison of the standards governing the conduct of proceedings in all major international and internationalized criminal courts from the Nuremberg and Tokyo Tribunals to the recently established Cambodian Extraordinary Chambers and the Special Tribunal for Lebanon Based on a major research project the study covers all procedural phases from the initiation of investigation to the appeals process It pays special attention to the crosscutting themes which shape the contemporary discourse on international criminal justice

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work of the prosecutor in a dozen international criminal courts and tribunals setting out the applicable rules and analysing his or her independence accountability and political impact *The Christian Burial Case* Thomas McInnis, 2000-10-30 On December 24 1968 ten year old Pamela Powers was brutally murdered her body dumped at the side of the road to freeze Robert Anthony Williams was charged with the crime and a series of trials appeals and reversals ensued *The Christian Burial Case* An Introduction to Criminal and Judicial Procedure introduces readers to the intricacies of the American legal system using the Williams case to illustrate all the stages of the legal process from the point of arrest to the trial the appellate process and ultimately the Supreme Court The text clearly and concisely explains criminal and court procedures in the context of the Williams case paying careful attention to the rights against self incrimination and to counsel and to the role of the exclusionary rule in our system of justice This unique introduction to criminal justice and judicial procedure captures the imagination of the reader as it chronicles *The Christian Burial* case from beginning to end Because the suspect was observed leaving the scene of the crime with the body of the victim the Williams case seemed to be open and shut But due to police procedures in apprehending and questioning the suspect the resolution of the case took fifteen years and two United States Supreme Court decisions By highlighting the difficulties of determining the facts of the case and the proper procedural laws that were applicable McInnis demonstrates the complexities inherent in the legal system This compelling book is a must read for all people interested in learning more about criminal procedure and judicial processes **The Trial Proceedings Of The International Criminal Court** Notburga K. Calvo-Goller, 2006 Contains the trial proceedings of the International Criminal Court the ICTY and the ICTR in one single volume This book covers the procedural and evidentiary aspects of the trials before the ICC from the beginning of an investigation until the time the convict has served the sentence and it includes ICTY and ICTR precedents *Criminal Procedure By Storm* Lisa M. Storm, 2016-01-21 *Criminal Procedure By Storm* begins with the foundations of law and the legal system and then extensively explores the criminal process using the Constitution and US Supreme Court precedent as guidelines After reading *Criminal Procedure By Storm* you will be familiar with the nature and sources of law the court system the law of search and seizure proper investigative techniques and the adversarial process **Four Criminal Procedure Case Studies in Comparative Perspective: China - Italy - Russia - U.S.A.** Marco Fabri, 2016-02-17 The essays collected in this volume are the result of cooperation between the Justice Partnership Programme in Hanoi and the Supreme Peoples Procuracy of Vietnam The programme is co funded by the European Union Denmark and Sweden Knowledge of the criminal procedures of other countries has been of particular importance to the drafters of the Criminal Procedure Code of Vietnam as they approximate the law to international standards The essays contain detailed and systematic analyses of the criminal procedures in Italy China Russia and the United States of America The common structure of the analyses and the meta analyses of the editor of the book make a comparative study out of it The study on the criminal procedure in China is one of the few on this subject ever published in English Journal California.

Legislature,1862 **Tennessee Rules of Criminal Procedure 2021** Peter Edwards, Esq. ,2021-03 This 2021 edition of the Tennessee Rules of Criminal Procedure provides the practitioner with a convenient copy to bring to court or the office Also contains Advisory Commission Comments Look for other titles such as the Tennessee Rules of Civil Procedure and Tennessee Rules of Evidence 2021 Trial Advocacy Basics , Cases on Criminal Procedure ,1921

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