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# THE WINDSOR STAR

## Union official asked to repay missing funds, messages show

By Donald McArthur, The Windsor Star - May 11, 2009

Following a confrontation in Dieppe Gardens when he was asked about missing cheques and union funds, a former CAW official now facing trial for fraud made repeated phone calls to union brass asking if he could repay the money on the sly.

“If the amount is paid back, is that the end of it?” asked David St. Denis, the former financial secretary for CAW Local 1959, in a series of messages left for local president Bill Wark.

“I want to put this whole thing behind us so I can get on with my life.”

More than a half dozen similar messages were played in court Monday during a hearing to determine whether fraud charges against St. Denis should be dropped because the Crown is using as evidence copies, rather than originals, of financial documents.

The source documents — which include a series of cheques totalling more than \$12,000 and a single cheque made out for more than \$9,000 to St. Denis’ CIBC Visa account — could not be found after St. Denis resigned from his post in the summer of 2004.

The Crown is alleging St. Denis forged the signature of first vice-president Satish Shonek on a series of cheques and told the court that Shonek has denied co-signing the cheques. St. Denis denies the allegation.

Defence lawyer Patrick Ducharme said the photocopied cheques, copied from microfiche at the Windsor Family Credit Union, were of such poor quality they could not be analyzed by handwriting experts. He is seeking to have the charges stayed via a “lost evidence” application.

St. Denis maintains everything was in good order when he resigned and that he stored the documents in the basement of the union hall. He rejected suggestions put to him by assistant Crown attorney Jennifer Holmes that he gave the union executive “the runaround” when they sought his help in locating the files.

“I didn’t take the financial documents out of the office,” said St. Denis, adding he never received cancelled cheques from the WFCU.

“Nothing went missing. I did not take any money.”

St. Denis claimed he didn’t go to the union hall to assist in the search, as requested by the union in a December, 2004 letter, because “they were looking for a lynch” and “for somebody to blame something on” and because his life was “falling apart.” He lost his father and father-in-law within six months of each other, he told the court, and was enduring health and marital troubles.



Defence lawyer Patrick Ducharme is seeking to get fraud charges against his client, former CAW official David St. Denis, stayed via a lost evidence application.  
**Photograph by:** File photo, The Windsor Star

“I would not step into that local for fear, basically, of my life,” said St. Denis. “They had already smeared my name all over the place.... They were trying to hang me up to dry.”

St. Denis finally met with Wark and union trustee Herman Van Grinsven in Dieppe Gardens on June 9, 2005. St. Denis said the pair confronted him about the missing documents and showed him a packet of photocopied cheques with his signature totalling more than \$12,000.

St. Denis denied the Crown’s suggestion that they went so far as to accuse him of embezzling the funds. He allowed that they demanded an explanation and restitution and threatened to do to him what had been done to Nick LaPosta, who was ousted as financial secretary for CAW Local 195 after charging — and later repaying — \$11,000 worth of personal expenses on his union credit card.

“They smeared his name through the newspaper,” said St. Denis. “They dragged his name through the mud.”

St. Denis testified that fears he would be similarly maligned prompted him to make the phone calls offering restitution so long as the membership never found out. He never admitted wrongdoing in the messages.

“I was not going to pay back any money,” he insisted in court Monday. “I just wanted to find out what was going on.”

St. Denis said he was concerned for the safety of his wife and children during this time period and claimed that someone planted a bomb in his car. It didn’t detonate, he said, because the wires were not grounded.

As far as the \$9,000 cheque to his Visa account is concerned, St. Denis said he left the card in a locked filing cabinet at the union hall and that Wark had a key. He said he would contact Visa Monday night in a bid to determine what goods were purchased with the card. Wark went to the police six weeks after the confrontation at Dieppe Gardens, on July 22, and St. Denis was arrested in October 2006. He is charged with two counts of fraud over \$5,000.

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