

Witness comes under heavy cross examination

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nessman testified yesterday.

Wire tap evidence presented in court Friday contained a voice identified as Benisasia, just seconds after the \$15,000 exchange took place, communicating with police.

"Confirmed, he's got the money...all \$15,000," the voice said. "He (Gyles) had his radio on...didn't want to talk much...as usual, mumbling."

This came one day after Benisasia testified he handed Gyles an initial payment of \$10,000 inside a mall parking lot on Jan. 26, 2001.

But in the defence's cross examination yesterday, Gold said pieces of Benisasia's lengthy testimony were not consistent with what he told a Peel Police officer in a videotaped statement more than two years ago.

In that statement, the court heard that Benisasia said he didn't know the property he purchased, the former site of the Malton branch of the Royal Canadian Legion, wasn't zoned for a funeral home until after he purchased it.

But he testified in court this week he found out about the zoning before he closed the deal, on Sept. 11, 2000.

"You seem to be quite careless in the things you say," Alan

Gold said in court. "You told police the opposite because you were speaking carelessly."

Benisasia told the court Friday he was wrong in his videotaped statement to police because he "was really nervous at the time."

Benisasia also testified that he had a meeting with Gyles in his City Hall office before closing the deal on the property.

But in the preliminary inquiries last year, Benisasia testified the meeting took place after the deal, Gold, referring to a transcript, told the court yesterday.

Benisasia said in court he became confused with dates during the inquiries, and the testimony he gave then regarding the time of the meeting was incorrect.

Benisasia also agreed in court that he was "mortgaged to the hills" in his finances when he bought the property in the fall of 2000.

Gyles is also on trial for another incident where he is alleged to have demanded \$20,000 in Jan. 2000 from Malkit Dhaliwal, the owner of a truck driving school.

He was looking to turn land that he purchased into a trucking lot, but needed to have it rezoned.

A perjury charge against the councillor has been withdrawn.

A decision will be made after this trial on whether or not to proceed with the remaining fraud charges against Gyles.

The cross examination continues Monday.

Accused of carelessness

Key witness grilled by Gyles' lawyer

By LOUIE ROSELLA
Staff

The lawyer for Cliff Gyles accused a key witness in the trial of being careless when coming forward with bribery allegations against the Mississauga councillor in 2001.

Rick Benisasia, who continued his testimony before Madam Justice Bonnie Wein yesterday, went to police in January of that year claiming Gyles demanded a \$50,000 pay-off for assurance that a rezoning application would be approved.

It was Benisasia's "dream" to build a funeral home on land he purchased for \$1.5 million in the area of Derry Rd. and Goreway Dr.

On Feb. 19, of 2001, Gyles met Benisasia in the Hershey Centre parking lot, where he handed the politician a second installment of \$15,000 in cash that police equipped him with, the Malton busi-

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