



ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

PAUL APSIMON

Plaintiff

- and -

ELISA HATEGAN

Defendant

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service in this court office, **WITHIN TWENTY DAYS** after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$5,000 for costs, within the time for serving and filing your Statement of Defence you may move to have this proceeding dismissed by

the Court. If you believe the amount claimed for costs is excessive, you may pay the Plaintiff's claim and \$400 for costs and have the costs assessed by the Court.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date March 9, 2023

Issued by _____

Local Registrar

Address of court office: 161 Elgin Street,
Ottawa, ON K2P 2K1

TO: **Elisa Hategan**
elisa@elisahategan.com

THIS ACTION IS BROUGHT AGAINST YOU UNDER THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 76 OF THE ONTARIO *RULES OF CIVIL PROCEDURE*, R.R.O. 1990, REG. 194 AS AMENDED

CLAIM

1. The Plaintiff, Paul ApSimon, claims against the Defendant, Elisa Hategan as follows:
 - a. General damages in the amount of one hundred and fifty thousand dollars (\$150,000.00) for defamation;
 - b. Aggravated and/or punitive damages in the amount of fifty thousand dollars (\$50,000.00);
 - c. An order requiring the Defendant to remove and take down from the Internet the defamatory content, as set out below;
 - d. Prejudgment and postjudgement interest in accordance with sections 128 and 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
 - e. The costs of this proceeding on a substantial indemnity basis, plus all applicable taxes; and,
 - f. Such further and other relief as to this Honourable Court may seem just.

The Parties

2. The Applicant, Paul ApSimon (“**Paul**”) is an athlete, fencer and coach of the Canadian Olympic team. He coached or managed Canadian fencers at the 2000, 2012, 2016 and 2020 Summer Olympics. Prior to coaching, he represented Canada at World and Commonwealth Championships. He is the recipient of the Queen Elizabeth II Diamond Jubilee Medal and was named Coach of the Year in 2017 by the Canadian Fencing Federation. He is the Head Coach, owner and operator of Ottawa Fencing, a fencing club in the City of Ottawa.
3. The Defendant, Elisa Hategan (“**Hategan**”) resides in the City of Toronto. She is a former student of the University of Ottawa, where she attended as a mature student and studied

criminology. During her tenure at the school, Hategan participated in fencing as a member of the Excalibur Fencing club. She was never a member of the University of Ottawa team.

4. The club had a facility on campus, but members were a mix of students and external community. Paul was not a coach of the club. His coaching duties were limited to the University of Ottawa fencers, which typically represented 24 students (12 males and 12 females, split into groups of four in three different weapons classes). In this capacity, he was mostly responsible for administrative functions. The club coach was the individual that led the technical coaching of the both the fencing team and the Excalibur Fencing club, who trained together.
5. Hategan has a significant following online and in the media as a result of being a former member of the Heritage Front, a white supremacist group, who defected from the organization. She is a speaker on issues relating to radicalization and maintains a presence online as a “writer, journalist, speaker and activist”.

The Defamatory Article

6. Paul was the subject of false and defamatory allegations by Hategan of sexual impropriety and other inappropriate behaviours involving fencing students he has coached over several years.
7. Hategan does not purport to have been the subject of any form of sexual impropriety, but alleges to have received a different treatment (i.e. receive less attention from the coaches of her fencing team) relative to students who allegedly engaged in sexual conduct with the coaches.
8. The allegations are entirely false and have seriously affected Paul’s reputation in the fencing community, but also in the community at large.
9. On February 21, 2023, Hategan posted an article entitled: “*Truth is Stronger than a Sword - What the Canadian Fencing Federation Doesn’t Want You to Know will Shock You*” (the “**Article**”).

10. The Article was posted on Hategan's website at the URL <https://elisahategan.substack.com/p/truth-is-stronger-than-a-sword> and remains publicly available, as of date of this Statement of Claim, to anyone accessing the Internet.
11. Hategan also utilized Twitter to further publicize the Article. On February 21, 2023, Hategan tweeted a URL link to the Article with the caption "*Please check out my newest article 'Truth is Stronger than a Sword - What the Canadian Fencing Federation Doesn't Want You to Know'*".
12. Hategan's Twitter account is public and accessible to anyone with internet access. As of the date of this Statement of Claim, the February 21, 2023 Twitter post had approximately 18,000 views. It has also been widely shared and reposted.
13. The Article may have been posted and/or published and/or distributed by other means unknown to Paul, but within the knowledge of Hategan.
14. Paul complains of the following words (bolded) in the Article:
 - a. *Ultimately, what started out as me tweeting about my experiences as a student athlete at the University of Ottawa in the 1990s, led me down a rabbit hole of coach abuse, power imbalance and athlete mistreatment spanning over two decades and culminating in an ongoing crisis in Canadian fencing that impacted Canada's Olympic fencing team as recently as the Tokyo 2021 Olympic Games, but has been kept under wraps with the knowledge and complicity of the Canadian Fencing Federation (CFF).*
 - b. *My complaint names Paul Apsimon. But this is not the first time I discussed my varsity fencing experiences - I wrote about it in 2008 and mentioned briefly the sexual misconduct in a 2012 article, but I hadn't named him. Until now.*
 - c. *The student athletes who Paul was sleeping with always got chosen for the University of Ottawa varsity team, even ahead of better, more experienced fencers. Deanna, for example, got on the varsity team despite being a beginner, but no other beginners were added to the varsity team. (Deanna had been Paul's student when he was her high school gym teacher, but according to her, their affair started after she began fencing in her first year of undergrad).*
 - d. *When I was living in Residence at the Marchand apartments, Deanna used to come hangout in my room between classes. She lived far from campus so she came down in the morning for her first class, and then killed time hanging out with me between classes and before practice. That's when she'd tell me all her stories about Paul*

– how they snuck around having sex on campus, her accidental pregnancy, and how they did it in the stairwell of the Sports Centre/Athletic Dept building.

- e. *While Paul didn't come on to me sexually, his mistreatment, retaliations and emotional abuse impacted me negatively in other ways throughout my fencing years. The following is a short summary of this mistreatment: (...)*
- f. *Open favouritism – the girls Paul liked better got free coaching and were invited to his house for private lessons. Both Paul and Manu (our nickname for Manuel Guittet) demonstrated open favouritism of certain athletes and ignored others like me, even when they were mandated by the University of Ottawa to teach all of us.*
- g. *At competitions Paul paid attention to his favourite athletes and ignored me – specifically the Queen's Open invitational in 1996 and other competitions (I have to locate my old fencing passport, which has a record of the competitions I attended back then).*
- h. *Cottage parties at Paul's cottage in the Gatineaus – everyone was encouraged to drink heavily. In winter, they got naked to do snow angels (Gabby – who got the third spot for the Ottawa U varsity team, after Paul's lovers Maddy and Deanna). When we went up to the cottage during the summer, I saw several athletes skinny-dipping at his cottage. At the cottage they played sexual drinking games like Truth or Dare, which sometimes involved stripping, "Never did I ever", and Spin-the-Bottle. There was no professionalism or inquiring if there were any underage people there, despite the fact that many of us were 1st year students.*

One specific party I wrote about in my journal happened the weekend of December 3-4, 1995:

"Gabby was the first to take her clothes off, and do a nude angel in the snow. They (or most of them) drank, but surprisingly no one smoked. Incredible – I still can't get over it. Being among up to 30 people, with no one smoking! [...] Anyway, everyone played games – the usual paper bag one, as well as a whole new bunch: the animal noises charades, and the drinking game "I never did etc.", and then Truth or Dare. I think anyone paying attention to the games will have realized my sexual preference by now. After questions like "I never performed oral sex on a woman" and "I've never turned down a woman", what could one say?!"

- i. *During sleepovers at the cottage, some people were having sex. I saw a fellow athlete named Leah give a topless massage to another athlete in a bedroom.*
- j. *Paul created an uncomfortable environment where this activity was part of our "teambuilding" training. I felt that I had to appear "cool" with this behaviour and couldn't speak up or risk being viewed as not a "team player", particularly since the "easy-going" girls who slept or got naked in front of him seemed to be rewarded with more lessons and personalized coaching.*

- k. *Paul appeared to use the fencing club as his personal social network – to date, drink with, etc. There was no delineation between him as a coach, vs him as a drinking buddy or a teammate’s boyfriend. Everybody at the Excalibur (EXO) fencing club knew that Paul had dated Maddy, and then that Paul was dating Deanna. In fact, most of the team attended their wedding.*
- l. *The “easy-going” girls who skinny-dipped and got naked at the cottage were chosen for varsity team, along with his lovers (Maddy and Deanna).*
- m. *Following an incident at a competition where I snapped at Deanna in the locker room and told her “I hope you lose!” because she kept getting extra lessons from the coaches, Paul became angry with me. He told me that my “bad attitude” and “negativity” affected Deanna and other teammates, and if I continued my bad sportsmanship I would be thrown out of the fencing club. I felt suicidal, because he clearly appeared to prioritize Deanna’s emotional well-being over my own, and I was directly affected by his treatment of me (not giving me lessons while giving her so much attention, private lessons both in class and at his house, as well as not coaching or ever cheering for me when I was in a fencing bout – while he seldom left her side during competition).*
- n. *September 1996 – Paul Apsimon creates unfair classification of EXO fencers into A, Band C levels, following the fencing team’s move from the regular Athletic Centre building to a private building on campus. Although I met all the criteria of an “A” fencer– must own equipment, work out and attend regular practice – and I fenced for the same amount of time as his lover Deanna and at least one other beginner, Natalie, he classified me as a “C” and her as an “A”. A fencers got double the private lessons (30mins twice/3x per week), more coach attention and a different practice time slot / days of week for lessons, sometimes with different coaches. To me, it was an overt way to cut me out of their circle.*
- All of this is documented in my fencing journal entry of Sept 1996:
- “The only difference between me and an advanced fencer like Ingrid is the length of time we’ve fenced, and the amount of competitive experience. I have all my own equipment, I help out, I work out, I’m always one of the first to arrive at the gym and one of the last to leave –and I never miss practice. I’ve done everything humanly possible – and I simply couldn’t have done more in the past year. I fit all the criteria set out in the club’s outline for an “A” fencer (it doesn’t have any stipulations requiring a certain length of fencing experience), so why should I be relegated to a “C” or “intermediate” level? (when Deanna is not).” [...]*
- o. *Though I continued to attend practice, they created an environment that made it impossible for me to stay. Even when I trained with the A-list and Intermediate fencers, neither Paul or Manuel gave me the private coaching everyone else in the group was getting.*

- p. *For much of my two years of training under Apsimon and Guittet, I felt hopeless and self-destructive.*
- q. *Paul overlooked situations where I was being overtly bullied by another athlete named Karen. There were several occasions where her bullying went from being rude to me, to actually shoving me during practice. In one specific event in April 1997, Paul took the fencing club to a park in Sandy Hill to play Ultimate Frisbee. Karen was on Paul's team and I was on the other team. When I was catching the frisbee, she elbowed me, stepped on my left foot and shoved me with her shoulder and hip, nearly causing me to fall, while she literally tore the frisbee from my hands. I stopped playing and yelled at her to stop, while Paul did absolutely nothing. I walked off the field and the game resumed a moment later, with no disciplinary measures taken against Karen.*
- r. *Deanna told me that after she'd asked Paul why he was ignoring Karen's overt bullying, he'd said, "They should work it out between themselves" and that he didn't want to get involved, even though it happened under his watch.*
- s. *I felt that another reason why Paul disliked me and didn't want to give me lessons was because he was uncomfortable with me being gay. This is based on his comments in a hotel room where we had all gone for a Queens University tournament. Paul joked with a fencer named Corrine N that she'd better have watched out when having accepted an invitation from Marie-France (a fencing judge) to stay overnight at her place. "She didn't do anything, though," Corrine said, but Paul made another derogatory joke (about Marie-France trying to get in bed with Corrine), and everyone in the room was laughing.*
- t. *Paul and Manuel created a self-fulfilling prophecy where they chose the girls they believed had the most aptitude (coincidentally, the ones who slept with Paul always seemed to be included) and gave them more training and free lessons, and then ignored and under-coached the ones they didn't like or who they didn't feel were as talented. The logical effect was that the ones they liked got better, and the ones they dismissed never caught up.*
- u. *In sum, Paul Apsimon retaliated against me speaking out about his and Manu's favouritism and his own sexual relationships with female athletes. He created an environment where I felt intimidated and bullied, to the point I had no choice but to practice at Carleton and eventually quit fencing, because:*
- 1. He didn't give me lessons, while focusing his attention on giving extra lessons to his favourite athletes, two of whom he was sleeping with – they made varsity, I didn't*
 - 2. He threatened me with kicking me out of the club because I wasn't a "team player" and I had a "bad attitude" toward his lover*
 - 3. He refused to coach me during tournaments, focusing his attention on others*

4.He ignored another athlete openly bullying me / shoving me at practice

5.He exhibited hot / cold behaviour – leaving me on pins and needles because I never knew what I did wrong. I'd hear from other athletes like Deanna and Gabby that Paul said I was too competitive and negative, so he was talking about me to others but seldom talked to me at all, except for his angry outburst following my exchange with Deanna (when I'd told her that I hoped she'd lose the competition).

- v. *I felt that I didn't have a choice but to quit, because it seemed to me that those 2 coaches ran the Ottawa scene, and by default CFF itself. Even the RA Centre fencing program was ran by Paul Apsimon's father. **If you didn't toe the line and do what they wanted you to do, there was little hope to become an elite fencer.***
 - w. *I should have gone to the university and said something. [...] I'd just arrived in a new city, new school, got my life together, found a new "family" and friends among the athletes on our team....and I was terrified of throwing it all away by whistleblowing against a National Team coach, risking bullying and harassment from my friends - my then-best friend Deanna ended up marrying Apsimon shortly after graduation.*
 - x. *It felt like the entire world was on his side because he trained champions - and in this world, the weight of truth depends on the perceived worth of those who speak it.*
 - y. *At this point I have no illusions of any kind of vindication or apology, simply because so much time has passed. Lost opportunities can't be quantified or restored, so it all feels pointless. **All I know is he had a lifelong career, but I will never have the opportunities that might have been.***
 - z. *Imagine yourself as a coach, and 2 out of the 3 girls you're coaching for varsity (one being 18 yrs old, the other one about 20) are vying jealously among themselves for your attention. You have to juggle sexual commitments, while ensuring nobody complains to university administration and nobody catches you while you have a quickie with one of them in the stairwell of the Athletic Centre before practice. You do all this while continuing to invite dozens of people to your cottage for "team spirit" weekend getaways like heavy drinking and skinny-dipping, AND you're simultaneously trying to intimidate people like me from telling anyone by threatening to kick me out because I'm not a "team player" and I have a "bad attitude". You ignore the talented in favour of the obedient and play one girl against the other, to the point where everybody pretends to be friendly with one another but we hate each other's guts because only the "special" girls get invited to the Coach's house for free private lessons.*
15. The Article includes a screenshot of a Tweet made by Hategan on her Twitter account on June 7, 2022, of which Paul complains, which reads “@BadSeedBooks Today I looked up

fencing records for Ontario's 1996/7 Women Foil Team winners, and 3 out of the 4 undergrad girls on that varsity team had been sexually exploited by our university's Olympic coach. Two slept with him & one got naked at his cottage during "team spirit" sessions."

16. The Article also purports to document a discussion that occurred on Facebook messenger and by phone between Hategan and an unnamed former athlete that resulted from the June 7, 2022 tweet. Paul complains of the following words set out in that part of the Article:

- a. *He would give under age athletes liquor while we were staying at this house as well and encouraged us to get drunk. All of my abuse from this man was psychological and he was even named in a safe sport investigation earlier this year against another coach on our team. All this to say, if you can take him down please do [...].*
- b. *Unfortunately he still runs a club and works for Ontario fencing and something needs to be done [...]*
- c. *The fact that my story is 25 years old and the things that happened to her took place over the last decade, suggest a historical pattern of abuse.*
- d. *There were times when she stayed at his house where heavy drinking was involved, and he kept encouraging her and other underage athletes to get drunk, having drinking games, etc and she "felt uncomfortable"*
- e. *When she was ranked at the top in Canada, he told her that she wasn't good and the juniors were going to beat her:*

"When I was ranked top in Canada, he sat me down and told me how I was worse than all the juniors", that "I would never succeed" and that "I was overweight, need to lose weight"
- f. *They had a "toxic relationship": "I saw him quickly remove other members of the team who were talking up against him" – she names another female athlete whose name I couldn't hear legibly – "she spoke up about how Paul was maltreating her, and he quickly had her removed from the team without even blinking an eye"*
- g. *"I kind of figured that he had the kind of power that if we did say something that was fired up, that he would kick us off the team."*
- h. *"The Safe Sport investigator, third-party investigator, found that there was systemic bullying within our program, and it directly named both Paul and our high-performance director."*

- i. *“After that happened, things got way worse. Paul had a hate-on for me. He hated me and I had a new coach [...] - Paul saw this new coach as a threat to his job. He started targeting me and my new teammate and this new coach, and was trying to find any way to get us out. [...]*
17. Hategan posted the allegations shared with her by the unnamed former athlete without any independent verification, and without giving an opportunity whatsoever to Paul to respond to the allegations. In doing so, Hategan acted recklessly and without any regard to the truth of the allegations apparently made by this unnamed former athlete.
18. In the Article, Hategan also provides hyperlinks to two blog posts from 2008 and 2012 she says were written about Paul. At the time those posts were originally made, she had not named him in those posts. As a result of this after-the-fact identification in the Article, Hategan has also defamed Paul through these two blog posts.
19. In the 2008 post on “Incognito Press”, another blog website operated by Hategan, entitled “*Why Canadian fencing sucks big time*”, Hategan complains about the poor quality of Canadian fencing and includes one paragraph regarding coaching, which contains serious and false allegations against Paul (the words complained of are bolded):

*Well, other than mediocre coaches, favouritism that is so rampant – **where good fencers get pushed aside by coaches who would rather sleep with their students – as it happened at my alma mater**, supposedly the best varsity program for fencing in this country (where Sherraine also first came to train), where we won first place after first place in the university games for nearly a decade. The truth is, Canadian Coaches tend to play favourites, which is what the Romanians and the Chinese don't do – for them, fencing is a business, without emotions and without bi-partisanship. If you have the spark in you, they will work it out of you. That's their job.*

20. In the 2012 post on “Incognito Press” entitled “*My love and hate affair with fencing*”, Hategan repeated her serious and false allegations against Paul (the words complained of are bolded):
 - a. *But every time I realize how out of shape I am and how much I'd like to pick up a foil again, **the traumas of my varsity years at the University of Ottawa come back to me. The unjust coaches who slept with athletes, the overt favouritism, the occasional fencing scandal that broke out** (in magazines such as Sports Illustrated) involving money exchanging hands and bouts being sold of (...)*

- b. *And then I came crashing into the injustices of the sport, the daily murdering of the spirit that favoritism can deliver, and the overarching elitism that lays entrenched in the foundations of the sport.*
- c. *With no money and no coaches willing to give me free lessons (all the while other girls were being invited to coaches' houses for lunches, dinners and free training), my fencing days were numbered – sure I could have continued, but the track I was on involved a rapid trajectory to the top, and I refused to accept recreational goals.*

Defamation

- 21. Paul complains on the basis that Hategan's statements are defamatory of and concern him by way of his standing in the fencing community and in the community at large, his professional reputation, and on a personal basis.
- 22. Each of the false and defamatory statements was intended to and did refer to Paul, directly or indirectly, explicitly or implicitly, and was understood to refer to Paul. Each of these statements, as taken in its context, is false and defamatory of Paul.
- 23. Paul is clearly identified in the Article, both by the use of his name "*Paul Apsimon*" and his description as an Olympic and national team coach and as coach of the University of Ottawa fencing program.
- 24. While Paul had not been identified by name in the 2008 and 2012 posts on Hategan's "Incognito Press" blog, she has identified Paul in the Article as the subject of the serious and false allegations made in those two posts.
- 25. Hategan's statements contain serious false allegations against Paul, in their plain and ordinary meaning or by virtue of the surrounding circumstances, which give the words a defamatory meaning and/or innuendo, in that they falsely state and/or infer that Paul:
 - a. Demanded or expected sexual favours from athletes he coached;
 - b. Granted special advantages to athletes he coached in exchange for sexual favours;
 - c. Engaged in sexual behaviour with minors;

- d. Provided alcohol to underage students;
 - e. Encouraged underage students to use and abuse alcohol;
 - f. Encouraged or promoted unhealthy and dangerous eating habits and/or disorders;
 - g. Psychologically abused athletes that he coached;
 - h. Was biased and/or discriminated against individuals who identify as being homosexual;
 - i. Was corrupt or was part of a corrupt organization;
 - j. Was the subject of an internal investigation;
 - k. Bullied athletes or others involved in the fencing community;
 - l. Allowed bullying of athletes by other athletes;
 - m. Interfered with independent investigations;
 - n. Engaged in or participated in a “cover-up” of the alleged inappropriate behaviour;
 - o. Was unethical and lacked integrity; and,
 - p. Exceeded or misused his authority.
26. Hategan knew, when the defamatory statements were made, that they would falsely and maliciously imply the above-listed meanings.
27. Hategan’s statements, on their face or by way of innuendo, are defamatory as they tend to, and do in fact, lower Paul in the estimation of reasonable people and would cause, and have in fact caused, Paul to be regarded with feelings of hatred, contempt, ridicule, fear, or dislike. The statements tend to, and do in fact, injure, prejudice, and disparage Paul in the eyes of others.

28. In particular, the allegations relating to inappropriate sexual relationships and encouraging underage alcohol abuse are particularly harmful as they relate to potentially criminal behaviour.
29. The statements published by Hategan are completely and absolutely false, defamatory and libelous of Paul. Hategan has defamed Paul in his character, honesty, and integrity.

Malice

30. Hategan's actions are coloured by her malicious intent. Her intense and focused attacks on Paul and his professional career demonstrate her malice in her campaign of defamation against him.
31. While Hategan suggests that she has taken these steps to bring about change in the fencing community and protect the women, Hategan was instead motivated by a desire to gain notoriety.
32. Hategan did so by making serious allegations against Paul and releasing confidential information during a time where the Canadian Fencing Federation was already under intense scrutiny.
33. Hategan suggests in her article that she had changed or redacted the names of all female athletes involved in an apparent attempt to protect their identities. For example, Hategan refers to a "Deanna" in her Article and explains that Paul married "Deanna" after she graduated. "Deanna's" actual name is Dina Vitale. The utter failure to anonymize Ms. Vitale's name all while stating that she wants to protect the female victims is illustrative of her ulterior motives. Her sole purpose in making the defamatory allegations was to increase her own notoriety.
34. Hategan's ulterior motives were further illustrated by her publication of a confidential report involving allegations made against an assistant coach of the fencing program and not Paul. Despite the report being confidential to protect the complainants, Hategan published the report and provided a hyperlink to the report in the Article. The report remains accessible to anyone who has access to the internet. The report provides the names

of the three complainants. Paul understands that several of the athletes and/or their parents have complained to the Canadian Fencing Federation as a result of the publication of this report.

35. Hategan has also included a picture of herself with two teammates, whose faces are completely visible, making the individuals identifiable. Paul understands that these individuals have also complained to the Canadian Fencing Federation and also the host of the blog (substack.com) about the use of their image.

Damages

36. Paul states that Hategan is liable to him for all damages flowing from the libelous words as set out herein.
37. Paul states that his reputation has been seriously prejudiced, and his integrity impugned by the redistribution of the Article as set out herein. Paul has been held up to ridicule and contempt as a result of the actions of Hategan as set out in this Statement of Claim.
38. Paul claims general damages accordingly.
39. Paul states that Hategan acted maliciously and in a callous and high-handed manner in her campaign of defamation against him.
40. In light of the foregoing, Paul states that an award of aggravated and/or punitive damages against Hategan is warranted in the circumstances.

General

41. Paul pleads and relies upon the provisions of the *Libel and Slander Act*, R.S.O., 1990, c. L.12, as amended.
42. Paul requests that this action be tried at the City of Ottawa.

Date: March 9, 2023

CAZA SAIKALEY S.R.L./LLP
Avocats / Lawyers
1420 – 220, Laurier Ave West
Ottawa, ON K1P 5Z9

Jeff G. Saikaley (LSO# 46406H)
JSaikaley@plaideurs.ca

Albert Brunet (LSO# 74233U)
ABrunet@plaideurs.ca

T. (613) 565-2292

Lawyers for the Plaintiff,
Paul ApSimon

PAUL APSIMON
Plaintiff

- and -

ELISA HATEGAN
Defendant

Court File No.

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
OTTAWA

STATEMENT OF CLAIM

CAZA SAIKALEY S.R.L./LLP
Avocats / Lawyers
1420 – 220, Laurier Ave West
Ottawa, ON K1P 5Z9

Jeff G. Saikaley (LSO# 46406H)
JSaikaley@plaiders.ca
Albert Brunet (LSO# 74233U)
abrundet@plaiders.ca

T. (613) 565-2292

Lawyers for the Plaintiff,
Paul ApSimon