

Court File No. CV-22-00691880-0000

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

DR. BYRAM BRIDLE

Plaintiff

- and -

UNIVERSITY OF GUELPH, JEFFREY WICHTEL, LAURIE ARNOTT, CHARLOTTE YATES,  
SCOTT WEESE, GLEN PYLE, ANDREW PEREGRINE, DOROTHEE BIENZLE, AMY GREER,  
DAVID FISMAN, NICK DULEY, and JANE OR JOHN DOE JUNIOR SCIENTIST

Defendants

**NOTICE OF MOTION**

The Defendants, University of Guelph, Jeffrey Wichtel, Laurie Arnott, Charlotte Yates, Scott Weese, Glen Pyle, Andrew Peregrine, Dorothee Bienzle, Amy Greer, and Nick Duley will make a Motion to a Judge on October 16, 2025, at 10:00 a.m., or as soon after that time as the motion can be heard, at 393 University Avenue, Toronto, Ontario, M5G 1E6.

**THE PROPOSED METHOD OF HEARING:**

- In writing under subrule 37.12.1 (1) because it is unopposed;
- In writing as an opposed motion under subrule 37.12.1 (4);
- In person;
- By telephone conference;
- By video conference.

**THE MOTION IS FOR:**

1. An Order dismissing the action against Scott Weese, Glen Pyle, Andrew Peregrine, Dorothee Bienzle, and Amy Greer pursuant to Section 137.1 (3) of the *Courts of Justice Act*, RSO 1990, c. C.43;
2. In addition and/or in the alternative, an Order dismissing the action against the University of Guelph, Jeffrey Wichtel, Laurie Arnott, Charlotte Yates, Scott Weese, Glen Pyle, Andrew Peregrine, Dorothee Bienzle, and Amy Greer, as the essential nature of the dispute between the Plaintiff and these Defendants is an employment dispute governed by a collective bargaining agreement and within the exclusive jurisdiction of the processes established by the agreement, pursuant to Section 48(1) of the *Ontario Labour Relations Act*, S.O. 1995;
3. An Order dismissing the action against Nick Duley as there is no genuine issue requiring a trial, pursuant to Rule 20.04 of the Rules of Civil Procedure;
4. Costs of this motion on a full indemnity basis pursuant to Section 137.1 (7) of the *Courts of Justice Act*;
5. In addition, and/or in the alternative, costs of this motion and of the action pursuant to Rule 57 of the Rules of Civil Procedure;
6. Such further and other relief as this Honourable Court may deem just.

**THE GROUNDS FOR THIS MOTION ARE:**

**The Parties & Overview of Claim**

7. The Plaintiff, Dr. Byram Bridle (hereinafter “Dr. Bridle”) is an Associate Professor of Viral Immunology in the Department of Pathobiology at the Ontario Veterinary College (“OVC”) at the

University of Guelph (“Guelph”). Dr. Bridle is a member of the University of Guelph Faculty Association (“UGFA”), a certified union recognized by the *Ontario Labour Relations Act*, S.O. 1995, c. 1. The UFGA is governed by a Collective Agreement which provides a mechanism for the resolution of issues between its members and Guelph including, *inter alia*, issues of health, safety, and harassment through Grievance and Arbitration.

8. The Defendant, the University of Guelph (“Guelph”), is a post-secondary educational institution in Ontario with a campus located at 50 Stone Road East in Guelph, Ontario.

9. The Defendant, Dr. Jeffrey Wichtel (“Dr. Wichtel”), is the Dean of the OVC and holds a faculty appointment in OVC’s Department of Population Medicine.

10. The Defendant, Laurie Arnott (“Ms. Arnott”), is the Assistant Vice President, Faculty and Academic Staff Relations, of Guelph.

11. The Defendant, Dr. Charlotte Yates (“Dr. Yates”), is the President & Vice Chancellor of Guelph.

12. The Defendant, Dr. Scott Weese (“Dr. Weese”), is a Professor in the Department of Pathobiology at the OVC and Chief of Infection Control at OVC’s Teaching Hospital. He is also a Zoonotic Disease/Public Health Microbiologist at Guelph’s Centre for Public Health and Zoonoses.

13. The Defendant, Dr. Glen Pyle (“Dr. Pyle”), is a Professor in the Department of Biomedical Sciences at the OVC. He is also Chair of the Research Ethics Board.

14. The Defendant, Dr. Andrew S. Peregrine (“Dr. Peregrine”), is an Associate Professor of Veterinary Parasitology at the OVC. He is a diplomate of the European Veterinary Parasitology College and the American College of Veterinary Microbiologists.

15. The Defendant, Dr. Dorothee Bienzle (“Dr. Bienzle”), is a Professor of Veterinary Pathology and the University Research Leadership Chair of Guelph’s Department of Pathobiology.

16. The Defendant, Dr. Amy Greer (“Dr. Greer”), is a Tier 2 Canada Research Chair in Population Disease Modeling and Associate Professor in the Department of Population Medicine at the OVC. She is also an Associate Professor in the Division of Epidemiology at the Dalla Lana School of Public Health at the University of Toronto and in the School of Public Health and Health Systems at the University of Waterloo.

17. The Defendant, Nick Duley (“Mr. Duley”) is a Certified Human Resources Leader and the President and Lead Consultant of the non-party, North Shore HR Consulting Inc. (“North Shore”). In or about July of 2021, Guelph appointed North Shore to investigate concerns raised about the conduct of Dr. Bridle on campus towards Dr. Pyle, Dr. Peregrine and Dr. Bienzle. Dr. Bridle refused to be interviewed by Mr. Duley as part of his investigation. Following the investigation, Mr. Duley determined that Dr. Bridle had breached both the Workplace Harassment Prevention Policy and Article 42 of the Collective Agreement.

18. The Defendant, Dr. David Fisman (“Dr. Fisman”), is a physician and a Professor of Epidemiology at the University of Toronto’s Dalla Lana School of Public Health. Dr. Fisman is bringing a Motion to have this action dismissed against him pursuant to Section 137.1 of the *Courts of Justice Act*. Dr. Fisman’s Motion is returnable on November 19, 2024.

19. The Defendant, Jane or John Doe Junior Scientist (Junior Scientist”), is alleged to have created a website, [byrambridle.com](http://byrambridle.com), and a Twitter account, @ByramBridle, that refer to Dr. Bridle’s public statements on the COVID-19 public health response and advice, and responses to his public statements from other academics and scientists. Dr. Bridle alleges that Drs. Fisman, Weese and Pyle conspired with Junior Scientist in its creation, which these Defendants deny.

20. Dr. Bridle alleges that the Defendants are jointly and severally liable for online harassment, conspiracy, interference with economic interests, breach of fiduciary duty, negligence, abuse of authority and misfeasance of public office, and endangerment of life. He claims damages in the amount of \$2,500,000.

21. Dr. Bridle is a high-profile critic of the COVID-19 public health response and advice. Commencing in or about August of 2020, he began participating in a series of speaking engagements and interviews criticizing the safety and efficacy consensus of COVID-19 vaccines. His opinions were contrary to the overwhelming majority of scientific opinions at the time, including the opinions of his colleagues, Drs. Weese, Pyle, Peregrine, Bienzle and Greer.

22. On June 28, 2021, Drs. Weese, Pyle, Peregrine, Bienzle and Greer, along with 79 of their colleagues, signed a letter, stating that they disagreed with Dr. Bridle's public statements that COVID-19 vaccines were unsafe. The letter, entitled *Faculty and staff at the University of Guelph support SARS-CoV-2 vaccine safety*, stated:

We are a science-based faculty and staff at the University of Guelph who support evidence-based decisions and disagree with misinformation being circulated by a member of the faculty at the Ontario Veterinary College.

COVID-19 is an unprecedented pandemic due to a novel coronavirus. Nearly four million people globally have died as a result, and nearly two hundred million have been reported as infected.<sup>1</sup> Many millions more have suffered and continue to suffer from physical and mental illness associated with the pandemic, isolation, poverty, and the long-term effects of the infection.<sup>2</sup>

Vaccines for SARS-CoV-2 were designed, tested and produced at an unprecedented speed and on an extraordinary scale. The ability to quickly develop safe and effective vaccines was made possible through remarkable global co-operation and by concurrently running clinical trials, not by cutting corners. Many countries rapidly authorized vaccines for emergency use. Various types of vaccines are available, including those based on mRNA coding for the viral spike (S) protein, vector-based DNA vaccines coding for the S protein, and recombinant S protein particles. Two doses of the vaccines (type-dependent) have dramatically reduced illness and infections in many parts of the world.<sup>3</sup> The vaccines are highly effective and have very few adverse effects.<sup>4</sup> The coordinated

effort of scientists, pharmaceutical companies, public health and regulatory agencies to produce effective vaccines against COVID-19 for billions of people in less than a year is an achievement previously unimaginable.

Dr. Byram Bridle has stated on multiple platforms and numerous outlets that COVID-19 vaccines are unsafe. These statements are contrary to overwhelming scientific evidence. The S protein generated by or incorporated into vaccines is an effective immunogen but does not alter DNA, does not induce infertility or pass through breast milk, and is not a toxin.<sup>5, 6</sup> Adverse vaccine effects do occur but at a similar or lower frequency than for routine vaccines.<sup>4</sup> In the face of this terrible pandemic, widespread vaccination is the best way out of the devastation we currently face. Many people have limited understanding of the complexities of immunization against infectious agents, and rely on scientists in epidemiology and immunology to share their knowledge and experience, especially at times such as these when fear is high. Misinformation spread by individuals such as Dr. Bridle targets uncertainty.

The University of Guelph, including us, supports freedom of expression. However, as scientists and academics we also have a responsibility to counter misinformation, particularly when the misinformation causes harm. A high rate of vaccine acceptance is essential for prevention of SARS-CoV-2 disease and deaths, and for a return to normalcy. In particular, given the high transmissibility of recent variants, very high vaccination rates among people eligible for vaccination are critical. We are very concerned that people who are not seeking vaccination because of misinformation will suffer ill effects from SARS-CoV-2 infection, will infect others, and will slow the return to a more normal life. Academic freedom is important but should not be a license to spread misinformation that has been clearly refuted, including by authors of publications that Dr. Bridle cites in support of his statements.<sup>7</sup> Some may even consider the University of Guelph complicit by failing to provide a clear and effective response to this misinformation campaign, which is impacting the reputation of the institution and its faculty.

Considering the harmful effects of COVID-19 on individuals and communities, the continued spread of misinformation undermines Canadian public health measures, including our vaccine program, and threatens global health security more broadly.

Therefore, we wish to state publicly that as scientists, faculty, and /or staff of the University of Guelph we stand firmly against the continued spread of factually incorrect and misleading information that is being disseminated by Dr. Bridle. We have confidence that the SARS-CoV-2 vaccines approved for use in Canada are safe and effective, and we wish to reassure the public that as members of the University of Guelph community we fully support evidence-based public health, which includes vaccination against COVID-19.

This letter appears to be the basis of Dr. Bridle's claims of conspiracy against him by these Defendants although he also takes issue with comments made by Drs. Weese and Pyle in social media.

23. The letter that these Defendants co-signed was co-signed in the context of their disapproval of public statements being made by Dr. Bridle that were in opposition to COVID-19 public health measures. The letter was not motivated by any malice or ill-will towards Dr. Bridle, but good-faith efforts to protect the public from misinformation in the midst of an unprecedented global pandemic. They were concerned that the public statements being made by Dr. Bridle could lead individuals to ignore public health recommendations and measures designed to mitigate the risks of the pandemic and specifically, public health recommendations to be vaccinated and to wear masks in public.

### **Claims Against Drs. Weese & Pyle**

24. Dr. Weese has a personal Twitter account and between June 17, 2021, and September 8, 2021, has responded to tweets posted by others addressing Dr. Bridle's work and/or public statements. They are as follows:

- i) On or about June 17, 2021: A far-right politician, anti-vaxxer and guy who compared public health measures to the Holocaust walk into a press room...I wish there was an actual joke in there. The real story's too sad/frustrating/maddening. Misinformation kills. We need to address and remember that.
- ii) On or about June 17, 2021: In response to a tweet attaching Dr. Bridle's new publication entitled *COVID-19 Vaccines and Children: A Scientist's Guide for Parents*, Dr. Weese posted a photo of workers shoveling manure and commented "Spreading it...".
- iii) On or about June 21, 2021: It seems like Bridle (surprise, surprise) misinterpreted a comment and (surprise, surprise) continues to spew misinformation about it. I've seen nothing supporting it and how would the person he's accusing have access to Bridle's parents' info? Just more misdirection.
- iv) On or about June 21, 2021: What smear? Many people are simply pointing out all the flaws and misinterpretations. His information is not credible, as has been pointed out by many people and groups, including the authors of the papers he cites as evidence.
- v) On or about September 8, 2021: Hey @uofg. Here's your favourite anti-vaxxer faculty spouting more lies on UNIVERSITY LETTERHEAD. At what point will you actually try to "Improve life". still waiting...not holding my breath though.
- vi) On or about September 13, 2021: More misinformation from the pride of @uofg. They're quick to issue a statement about an honorary degree recipient but won't speak out publicly against a faculty member continually causing substantial harm and fear. When will it be time to actually try to #ImproveLife?



- vii) On or about September 21, 2021: It wasn't a paper, it was Pfizer's data. It wasn't spike proteins, it was lipid nanoparticles. It was in rats. It was >1000X the human dose. It was used to spin lies by Byram Bridle and friends.
- viii) On or about September 29, 2021: Same old lies from Bridle. He's using misinformation to cause fear and drive an agenda. (His mastery of concise also parallels his mastery of accuracy).
- ix) On or about September 30, 2021: No, it's not. Misinformation is the toxin. These are likely the most scrutinized vaccines in history and are what is helping control the pandemic. Misinformation that slows vaccination down is killing people and prolonging the pandemic.

25. Dr. Pyle has a personal Twitter account and between May 28, 2021 and November 2, 2022, has responded to tweets posted by others addressing Dr. Bridle's work and/or public statements. They are as follows:

- i) On or about May 29, 2021: It's an interesting idea given the proposed use of that spike protein in a vaccine under development.
- ii) On or about May 29, 2021: He also fails to mention that while criticizing the safety of spike protein vaccines, he holds a grant to develop a vaccine using – that's right – the spike protein.
- iii) On or about May 29, 2021: He has a grant to create a vaccine based on the spike protein.
- iv) On or about May 29, 2021: The spike protein in the vaccine is engineered to be different from the naturally occurring protein. Plus, as the paper Dr. Bridle cites as proof the protein circulates, it is 10,000X below the level needed to bind.

- v) On or about May 29, 2021: Happy to help. More important, happy to provide references. People can read & see the data themselves, not anyone's interpretation (including mine).
- vi) On or about May 29, 2021: The paper Byram cited doesn't support his claim. That's pretty telling that a study cited to support his claims actually goes against those claims.
- vii) On or about May 29, 2021: Here is a source that was cited in the interview [link to Circulating Severe Acute Respiratory Syndrome Coronavirus].
- viii) On or about May 29, 2021: No. He works at @OntVetCollege but we are not all veterinarians. Many of us do research focused on human health.
- ix) On or about May 29, 2021: You'll notice he never mentions the levels. By my calculations the spike protein peaks at ~300-350 fM. The Kd for the ACE2 receptor it binds to ~1.5 nM. This means it is 10,000 times below the amount needed. The study is fine. The math to criticize the vaccine, not so much.
- x) On or about May 29, 2021: Here is the human paper he says shows circulating levels of the spike protein [link illegible].
- xi) On or about May 29, 2021: Peak levels of the spike protein are ~60 pg/mL. If you convert that to [illegible], it is ~300-340 fM. That is 10,000X lower than the Kd for the ACE2 receptor, which is what it targets. In other words, the study he cites shows the levels are too low to be damaging.
- xii) On or about May 29, 2021: Don't just take my word for it. The people that wrote the study say they (sic) data shows the vaccine works.

- xiii) On or about May 29, 2021: I hate to do this because this is my college, but Dr. Bridle is not in OAC. He is a faculty member at @OntVetCollege.
- xiv) On or about May 29, 2021: It's not a hacker. The person who made it has contacted me. They are a scientist.
- xv) On or about May 31, 2021: Case in point, a study by Ogata & colleagues [academic.oup.com/cid/advance-ar...](https://academic.oup.com/cid/advance-ar...) Data: very low levels of circulating antigen, good antibody response, & antigen clearance. Loudest message? Dangerous spike proteins from vaccines are circulating!
- xvi) On or about October 27, 2021: Interesting that the University of Alberta president applauds his faculty for work with Science Up First. As @uofg faculty, I am not allowed to use university identifiers for the same work. I asked in February, 2021. Why is that @uofgpresident?
- xvii) On or about October 27, 2021: Here is the initial email where I asked to use university identifiers like the logo alongside my #SciComm work. I never received a response. You know who was able to use university letterhead & logos? Vaccine & mask opponents.
- xviii) On or about November 2, 2022: Byram Bridle (in response to question regarding who had penned a letter).

26. The tweets posted by Dr. Weese and Dr. Pyle expressed their disapproval of public statements being made by Dr. Bridle that were in opposition to COVID-19 public health measures. The tweets were not motivated by any malice or ill-will towards Dr. Bridle, but good-faith efforts to protect the public from misinformation in the midst of an unprecedented global pandemic. They were concerned that the public statements being made by Dr. Bridle could lead individuals to ignore public health recommendations and measures designed to mitigate the risks of the

pandemic and specifically, public health recommendations to be vaccinated and to wear masks in public.

27. Dr. Bridle has alleged that Drs. Weese and Pyle were complicit in the creation of the website by Junior Scientist or at least directed people to it for the sole purpose of defaming him and damaging his reputation. Drs. Weese and Pyle deny creating the website and deny being complicit in its creation. Dr. Pyle publicly confirmed that he was contacted by the person who created it; however, he does not know that person's identity as the creator did not use their real name. Dr. Pyle surmised that the creator was a student. He did not collaborate with Junior Scientist.

28. With respect to the allegation that Drs. Weese and Pyle entered into a conspiracy with one or more of the other individually named defendants to defame Dr. Bridle and damage his reputation, Drs. Weese and Pyle deny this. Dr. Pyle expressed this in an email that he sent to Dr. Bridle on May 30, 2021:

Finally, I would like to point out that anything I posted was based on publicly available information and that I have stuck to the evidence. I have not attacked you as a person and have no intention of doing so. I think we can have profound disagreements about the science and stay away from character attacks. If others have made it personal I don't condone that. In all honesty, I have not seen personal attacks like that, but these things do happen on social media and I don't think they help any side of the debate. I myself have been on the receiving end, including threats of violence, so I can speak from experience.

We have deep disagreements over the science. I have no issue with you presenting your arguments based on studies and data, and have never called for your academic freedom to be curtailed. You don't need my permission, so hopefully that last statement doesn't come across like that. I hope that you will afford me the same opportunity to discuss the scientific literature, and we can disagree (or perhaps be swayed by each other's arguments).

I am sorry you feel you have been personally attacked and that this has created stress. If I have inadvertently posted something that appears to be personal, I apologize without reservation. I can't be responsible for the words of others, but let me clearly state that anyone who attacks you as a person is not supported by me.

29. On June 2, 2021, Dr. Bridle made a workplace harassment complaint against Drs. Weese and Pyle. The matter was investigated, and his complaint was dismissed. It was relayed to Dr. Bridle that academics were expected and encouraged to engage in scientific discussions and debates about issues relevant to their work or discipline and in this environment, a wider latitude of disagreement and confrontational speech occurred than in other workplaces. It was explained to him that the topic was a controversial one, and the disagreement amongst colleagues did not deviate from reasonable workplace conduct.

30. There was a subsequent workplace harassment complaint made, but by Dr. Pyle against Dr. Bridle following a disturbing encounter on campus on July 21, 2021. Dr. Pyle was crossing a parking lot when Dr. Bridle called out to him that he should "come over here and say it to my face, you fucking coward". Dr. Bridle continued to yell and gesture until Dr. Pyle took out his phone to record the incident.

31. Guelph retained North Shore to conduct an independent investigation. Following the investigation, which Dr. Bridle refused to be interviewed for, Mr. Duley of North Shore determined that Dr. Bridle's behaviour was harassing to Dr. Pyle and that Dr. Bridle had breached both the Workplace Harassment Prevention Policy and Article 42 of the Collective Agreement.

### **Claims Against Drs. Peregrine & Bienzle**

32. The purpose of the letter that Drs. Peregrine & Bienzle co-signed with 82 of their colleagues was to express their disapproval of public statements being made by Dr. Bridle that were in opposition to COVID-19 public health measures. The letter was not motivated by any malice or ill-will towards Dr. Bridle but good-faith efforts to protect the public from misinformation in the midst of an unprecedented global pandemic. They were concerned that

the public statements being made by Dr. Bridle could lead individuals to ignore public health recommendations and measures designed to mitigate the risks of the pandemic and specifically, public health recommendations to be vaccinated and to wear masks in public.

33. On July 22, 2021, Drs. Peregrine and Bienzle were involved in an encounter with Dr. Bridle on campus. Dr. Peregrine arrived at his office building to find Dr. Bridle waiting for him. Dr. Peregrine started to walk past him, but Dr. Bridle began shouting at him and followed him. Shaken, Dr. Peregrine went to Dr. Bienzle's office, while Dr. Bridle stood outside the office, shouting that he was being oppressed and that science would prove him right. Dr. Bienzle asked him to leave multiple times but he refused and continued shouting. Dr. Peregrine summoned the Campus Safety Office. When Sargeant Larry O'Connell arrived, Dr. Bridle was still there.

34. This encounter formed part of the investigation by North Shore. Mr. Duley determined that Dr. Bridle's behaviour was harassing to Drs. Peregrine and Bienzle and that Dr. Bridle had breached both the Workplace Harassment Prevention Policy and Article 42 of the Collective Agreement.

### **Claim Against Dr. Greer**

35. The purpose of the letter that Dr. Greer co-signed with 83 of her colleagues was to express her disapproval of public statements being made by Dr. Bridle that were in opposition to COVID-19 public health measures. The letter was not motivated by any malice or ill-will towards Dr. Bridle but good-faith efforts to protect the public from misinformation in the midst of an unprecedented global pandemic. She was concerned that the public statements being made by Dr. Bridle could lead individuals to ignore public health recommendations and measures designed to mitigate the risks of the pandemic and specifically, public health recommendations to be vaccinated and to wear masks in public.

### **Claim Against Dr. Wichtel**

36. Dr. Bridle's claims against Dr. Wichtel stem from allegations of i) a refusal to investigate, assist or intervene when Dr. Bridle brought the website and Twitter account to his attention; and ii) bias in an inconsistent application of the University Harassment Policy. Dr. Bridle also alleges that Dr. Wichtel's decision to prohibit him from accessing his office and lab since July 23, 2021, was an abuse of his power. Dr. Bridle alleges that when Dr. Wichtel refused to investigate, assist or intervene when Dr. Bridle brought the website and Twitter account to his attention, he joined the conspiracy with Drs. Fisman, Weese and Pyle.

37. On June 2, 2021, Dr. Bridle made a workplace harassment complaint against Drs. Weese and Pyle. Dr. Wichtel reviewed the complaint. He consulted with Ms. Arnott regarding the workplace harassment definition, process and the behaviour that constituted harassment thereunder. It was determined that the complaint did not constitute workplace harassment. In reaching this decision, there was no consultation – or conspiracy – with Drs. Fisman, Weese or Pyle. Dr. Wichtel relayed this decision to Dr. Bridle with professionalism and compassion, reminding him that he could access support services for his mental and physical health.

38. When a workplace harassment complaint was made against Dr. Bridle by Drs. Pyle, Peregrine and Bienzle arising out of the disturbing encounters on campus, North Shore, an independent party, was retained to investigate it. Dr. Wichtel immediately notified Dr. Bridle of the complaint and investigation and confirmed that he would be given a full opportunity to provide input and response at each step of the process. Dr. Wichtel stated that if there were other individuals that Dr. Bridle wished to be interviewed as part of the investigation, that he could advise the investigator. Dr. Wichtel confirmed that he was entitled to be advised and accompanied by a representative of the UGFA.

39. Mr. Duley interviewed the complainants and others, including Sargeant Larry O'Connell of the Campus Security Office, and a student who witnessed one of the encounters. Multiple attempts were made to persuade Dr. Bridle to participate in the investigation, but he refused.

Mr. Duley made findings of fact using a balance of probabilities standard and arrived at conclusions independent of Dr. Wichtel or anyone else.

40. In light of the workplace harassment complaint made by three members of faculty that necessitated the involvement of the Campus Security Office, Dr. Wichtel advised Dr. Bridle that as an interim measure during the investigation, and because safety had been raised as a concern on the reporting forms, he would not be permitted to attend campus but could continue to work remotely. Dr. Wichtel confirmed that he would work with Dr. Bridle to facilitate this.

41. On September 24, 2021, while the investigation was ongoing, Guelph instituted a mandatory vaccination policy.

42. On or about November 9, 2021, Mr. Duley issued his report finding that Dr. Bridle's behaviour was harassing and in violation of the Workplace Harassment Prevention Policy and Article 42 of the Collective Agreement. Dr. Wichtel notified Dr. Bridle of Mr. Duley's findings and invited him to a meeting to respond to the findings before the imposition of discipline. Dr. Bridle refused.

43. On or about December 7, 2021, Dr. Wichtel contacted Dr. Bridle to advise that his winter semester course would be taught in person and that Dr. Bridle would need to comply with the vaccine mandate. Dr. Bridle, however, refused to be vaccinated and was therefore not permitted to be on campus property.

44. In or about February of 2022, Guelph retained an independent third party, Protect International Risk and Safety Services Inc. ("Protect") to conduct an occupational health and safety investigation. Dr. Bridle refused to be interviewed as part of the investigation.

45. On or about April 25, 2022, Protect issued its report and recommended that steps be taken to mitigate a perceived risk of violence on the part of Dr. Bridle. Dr. Wichtel immediately notified Dr. Bridle of the results of the investigation and advised him that his office and lab would



need to be moved from the Pathobiology building, and that he would no longer be permitted to access the Pathobiology building.

46. On or about May 1, 2022, Guelph paused its vaccine mandate.

47. On or about August 11, 2022, Dr. Wichtel and Ms. Arnott met with Dr. Bridle to discuss his return to campus, including moving his lab. Dr. Bridle was urged to meet with Protect, which could potentially result in a change in the safety risk identified. Dr. Bridle refused.

48. On or about September 9, 2022, Dr. Wichtel contacted Dr. Bridle and advised him that an alternate office had been sourced for him and possible alternate locations for his lab were being explored.

49. On or about December 8, 2022, Dr. Wichtel contacted Dr. Bridle and confirmed that he was scheduled to begin teaching a course in January of 2023 and that an alternate office had been located. Dr. Bridle responded that he would not move his office.

50. Dr. Bridle has returned to campus to teach in person but has not availed himself of the offer of the alternate office and lab space.

51. Throughout the events leading up to the within action, Dr. Wichtel has dealt with Dr. Bridle professionally and compassionately, while balancing the concerns of other faculty who have expressed concern for their safety in the midst of escalating behaviour considered by many to be intimidating, threatening and violent.

### **Claim Against Ms. Arnott**

52. Dr. Bridle's claims against Ms. Arnott stem from allegations of i) joining the conspiracy amongst Drs. Fisman, Weese, Pyle and Wichtel when she dismissed Dr. Bridle's workplace harassment complaint; and ii) bias in an inconsistent application of the University Harassment Policy. Dr. Bridle also alleges that Ms. Arnott's decision to prohibit him from accessing his office and lab since July 23, 2021, was an abuse of her power.

53. On June 2, 2021, Dr. Bridle made a workplace harassment complaint against Drs. Weese and Pyle. Dr. Wichtel consulted Ms. Arnott regarding the workplace harassment definition, process and the behaviour that constituted harassment thereunder. It was determined that the complaint did not constitute workplace harassment. In reaching this decision, there was no consultation – or conspiracy – with Drs. Fisman, Weese or Pyle.

54. When a workplace harassment complaint was made against Dr. Bridle by Drs. Pyle, Peregrine and Bienzle arising out of disturbing encounters on campus, North Shore, an independent party, was retained to investigate it. Mr. Duley of North Shore interviewed the complainants and others, including Sargeant Larry O’Connell of the Campus Security Office, and a student who witnessed one of the encounters. Multiple attempts were made to persuade Dr. Bridle to participate in the investigation, but he refused. Mr. Duley made findings of fact using a balance of probabilities standard and arrived at conclusions independent of Ms. Arnott or anyone else.

#### **Claim Against Guelph & Dr. Yates**

55. The basis of Dr. Bridle’s claims against Guelph and Dr. Yates are that they are vicariously liable for the actions of Dr. Wichtel and Ms. Arnott. If the claims against Dr. Wichtel and Ms. Arnott fail, so too must the claims against Guelph and Dr. Yates.

#### **Nick Duley**

56. Mr. Duley is the President of North Shore. In addition to having an Honours Bachelor of Science degree in psychology, he holds certificates in Advanced Investigation Techniques and Human Rights Theory and Practice. Mr. Duley has a Secret (Level II) federal security clearance and has been appointed to the Investigation Unit of the Office of the Sport Integrity Commissioner. Since 2006, he has conducted more than 150 workplace harassment and human-

rights based investigations. He is a member in good standing of the Canadian Chapter of the Association of Workplace Investigators.

57. Mr. Duley was retained by Guelph to investigate complaints of workplace harassment by Drs. Pyle, Peregrine and Bienzle. Mr. Duley interviewed the complainants and others, including Sergeant Larry O'Connell of the Campus Security Office, and a student who witnessed one of the encounters. Multiple attempts were made to persuade Dr. Bridle to participate in the investigation, but he refused. Mr. Duley made findings of fact using a balance of probabilities standard and arrived at conclusions that were independent of the influence of Ms. Arnott or anyone else.

#### **THE SLAPP**

58. The basis of the SLAPP against Drs. Peregrine, Bienzle and Greer arises from their signing of a letter, along with 81 of their colleagues, which stated that they disagreed with Dr. Bridle's public statements that COVID-19 vaccines were unsafe.

59. The basis of the SLAPP against Dr. Weese and Dr. Pyle arise from tweets and their co-signing of a letter along with 82 of their colleagues, which stated that they disagreed with Dr. Bridle's public statements that COVID-19 vaccines were unsafe. The tweets posted by Dr. Weese were posted between June 17, 2021 and September 30, 2021. The tweets posted by Dr. Pyle were posted between May 28, 2021 and October 27, 2021, although Dr. Pyle also identified Dr. Bridle as the author of a letter in a tweet posted on November 2, 2022.

60. The letter and the tweets were signed and posted in good faith and based on a sincere concern about the potential for harm arising from an immunologist spreading misinformation.

61. The impugned speech relates to matters of profound public interest, being health measures in response to the global COVID-19 pandemic, public health, medical science, and professional ethics.

62. Neither the letter nor the tweets constitute harassment, online or otherwise, as alleged in the Statement of Claim:

- i) Drs. Weese, Pyle, Peregrine, Bienzle and Greer did not engage in the impugned speech maliciously or recklessly. Their sole purpose in signing the letter and/or posting the tweets was to direct the public to evidence and data-based research on vaccine efficacy.
- ii) The impugned speech is neither outrageous in character or extreme in degree, and does not go beyond all possible bounds of decency and tolerance. The impugned speech contains no unfair or inflammatory language.
- iii) Drs. Weese, Pyle, Peregrine, Bienzle and Greer had no intention to cause fear, anxiety, emotional upset or to impugn the dignity of Dr. Bridle; in fact, Dr. Pyle contacted Dr. Bridle and expressed remorse that Dr. Bridle perceived that he had been personally attacked. He concluded that “anyone who attacks you as a person is not supported by me”.
- iv) The impugned speech was not part of any broad conspiracy amongst Drs. Weese, Pyle, Peregrine, Bienzle and Greer or with anyone whatsoever. Beyond bald allegations, there is no evidence pleaded of any conspiracy.
- v) The impugned speech is not capable of constituting conspiracy, interference with economic interests, and/or endangerment of Dr. Bridle’s life as alleged in the Statement of Claim.
- vi) Dr. Bridle has not pleaded any facts which, if true, would establish that Drs. Weese, Pyle, Peregrine, Bienzle and Greer are liable to him for harassment, conspiracy, interference with economic interests and/or endangerment of Dr. Bridle’s life.

- vii) In addition, or in the alternative, Dr. Bridle cannot satisfy the Court that there are grounds to believe that Drs. Weese, Pyle, Peregrine, Bienzle and Greer have no valid defences and, as such, the claim against them must be dismissed.
- viii) The public interest in protecting the expression made through the expression of Drs. Weese, Pyle, Peregrine, Bienzle and Greer, significantly outweighs the public interest in permitting the proceeding to continue.
- ix) Dr. Bridle has suffered no harm to his reputation as a result of the impugned speech; in fact, Dr. Bridle has advertised on his Substack site that he has over 24,000 subscribers to his COVID Chronicles.
- x) If Dr. Bridle has suffered any harm in connection with the impugned speech, which is denied, it has not been caused or contributed to by Drs. Weese, Pyle, Peregrine, Bienzle and Greer, but rather is a result of Dr. Bridle's own conduct or as a result of the professional and public criticism that he has received from his own public statements.
- xi) It is in the public interest to safeguard and encourage free speech.
- xii) If this action is allowed to continue as against Drs. Weese, Pyle, Peregrine, Bienzle and Greer, it will have a chilling effect and deter other academics, scientists and members of the public from engaging with matters of public health and discussing and evaluating misinformation about public health measures.
- xiii) The action is a strategic lawsuit against public participation, as contemplated by Section 137.1 of the *Courts of Justice Act*, intended to intimidate, censor and silence critics of Dr. Bridle and stifle debate about matters of critical public interest.

63. Section 137.1 of the *Courts of Justice Act*;

64. Section 2(b) of the Canadian Charter of Rights and Freedoms;
65. Rules 1.04, 37, 57.03 and 60.12 of the *Rules of Civil Procedure*.
66. Such further and other grounds as the lawyers may advise.

**THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:**

1. The Affidavit of Jeffrey Wichtel;
2. The Affidavit of Laurie Arnott;
3. The Affidavit of Charlotte Yates;
4. The Affidavit of Scott Weese;
5. The Affidavit of Glen Pyle;
6. The Affidavit of Andrew Peregrine;
7. The Affidavit of Dorothee Bienzle;
8. The Affidavit of Amy Greer;
9. The Affidavit of Nick Duley;
10. The pleadings; and

11. Such further and other documentary evidence as counsel may advise and this Honourable Court may permit.

Date: March 6, 2024

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Court File No. Court File No. CV-22-006918880-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

**NOTICE OF MOTION**

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