

• **Négligence (Negligent Investigation)**

70. The Plaintiff further states, based on the facts set out in the within claim, and the jurisprudence, that the Defendants are liable to the Plaintiff in negligence, and negligent investigation, as set out by the jurisprudence, in that:

- (a) The Intake and Resolution Counsel, Sharon Greene, the Intake and Resolution Director, and the Law Society of Ontario, owed the Plaintiff a duty of care to rationally, fairly, and reasonably deal with the complaint against the Plaintiff;
- (b) The Defendants were required to meet the standard of care, where the standard of care is assessed at the “reasonable investigator” (reasonable intake counsel);
- (c) The Intake and Resolution Counsel did not meet this standard;
- (d) As a result, the Plaintiff suffered and continues to suffer damages as set out in the within claim;

and the Plaintiff further states that the Defendants, the Director of Intake and Resolution, and the Law Society of Ontario, have failed in his/her/their duty to properly instruct and train the Defendant, Sharon Greene, in her statutory, common-law, and constitutional duties in her role, and are equally liable for damages, as direct supervisor and employer.

• **Intimidation**

71. It is further submitted that the Defendants, in dealing with the Plaintiff pre-, but moreover post-COVID-19, since March 11th, 2020, have engaged, for the facts set out in the within claim, in the actionable tort of Intimidation, as defined by the Court of Appeal of Ontario in *McIlvenna v. 1887401 Ontario Ltd., 2015 ONCA 830*, and other Supreme Court of Canada jurisprudence, as follows:

[23] The tort of intimidation consists of the following elements:

- (a) a threat;
- (b) an intent to injure;
- (c) some act taken or forgone by the plaintiff as a result of the threat;
- (d) as a result of which the plaintiff suffered damages:

- *McIlvenna v. 1887401 Ontario Ltd., 2015 ONCA 830*

72. The Plaintiff states that this tort of intimidation is most evident in the three (3) complaints the Plaintiff has been required to respond to, which he should not have been required to respond to, but is further evident in his being notified of six other complaints upon which the LSO did **not** act upon. The Plaintiff states that if the LSO is not acting on complaints, “at this time”, then there was no need to notify the Plaintiff except to remind, and intimidate the Plaintiff as to the menacing presence over the Plaintiff’s professional (and personal) life. This is moreover pronounced in the threat to use the over-reaching powers under s.43.9 of the *Law Society of Ontario Act* in Sharon Greene’s **initial** letter forwarding the complaint.
73. The Plaintiff states, and the fact is, that the Law Society of Ontario Defendants’ actions and conduct, set out in the within statement of claim, are being carried out in

bad faith, and in the absence of good faith, and knowingly contrary to their statutory and constitutional duties.

- **Violation of the Plaintiff's ss.7 and 15 *Charter* Rights**

74. The Plaintiff further states, for the facts pleaded in the within Statement of Claim, that the Defendants violated the Plaintiff's s.7 and s.15 *Charter* rights. The Plaintiff further states that these violations are not saved by s. 1 of the *Charter*, and that he is further entitled to an award of damages pursuant to s. 24(1) of the *Charter*, to be determined at trial.

- **Declaration of Unconstitutionality of s. 49.3 of the *Law Society Act***

75. The Plaintiff states that, in absence of a client complaint, s. 49.3 of the *Law Society Act* violates ss.7 and 8 of the *Charter*, and ought to be accordingly "read down", pursuant to ss.24(1) and 52 of the *Constitution Act, 1982*, for violations of ss.7 and 8 of the *Charter*.

- **Section 7 of the *Charter***

76. It is submitted that s. 49.3 of the *Law Society Act* is a standardless sweep and violates s.7, in violating, in an overly-broad and arbitrary fashion:

- (a) The Solicitor-Client relationship protected by s.7 in the *Charter* as set out in the Supreme Court of Canada decision of *Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7 (CanLII), [2015] 1 SCR 401*;
- (b) The privacy interests protected by both the solicitor and client in the Solicitor-Client relationship.

• **Section 8 of the *Charter***

77. The Plaintiff further states that s. 49.3 of the *Law Society Act* further violates s.8 of the *Charter*, in the absence of a client complaint, constituting an unreasonable search and seizure, which brings the administration of justice into dispute and which violation is not saved by s.1 of the *Charter*, and for which it should be accordingly “read down” pursuant to ss.24(1) and 52 of the *Constitution Act, 1982*.

• **Liability of The Defendants and the Relief Sought**

78. The Plaintiff states that the Defendants are liable to the Plaintiff, jointly and severally, as set out in paragraph 1(a) of the within Statement of Claim, for the instances and reasons pleaded above, and seeks the relief requested in paragraph 1(a).
79. The Plaintiff further seeks the relief set out in paragraph 1(b) of this Statement of Claim.
80. The Plaintiff further pleads any and all documents mentioned in this Statement of Claim as documents referred to in the pleadings herein.
81. The Plaintiff proposes that this action be tried in Toronto.

Dated at Toronto this 12th day of July, 2022.


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"Schedule
A"

STRICTLY PRIVATE AND CONFIDENTIAL

June 29, 2022

SENT VIA EMAIL

Sharon Greene
Intake and Resolution Counsel
Law Society of Ontario
393 University Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
Email: SGreene@lso.ca

Dear Ms. Greene,

RE: Law Society Complaint of Donna Toews, 2022-261151

This correspondence is in response to the above-referenced complaint.

- **The Complainant – Donna Toews**

I do not know Donna Toews.

She has never been my client.

To my recollection I have never had any direct contact with Ms. Toews.

I have never made any representations to her.

- **Kip Warner**

Kip Warner has never been my client. I have never had any direct communication with Mr. Warner. I have had contact, through Mr. Warner's solicitor, as set out below, to issue a caution with respect to his defamatory statements against me, and interfering with my solicitor-client relations, including with Vaccine Choice Canada and Action-4- Canada.

- **Vaccine Choice Canada**

Vaccine Choice Canada (hereinafter "VCC") has been a client of my law firm since 2015.

I act on their behalf giving legal advice, consultations, issuing legal opinions, and conducting litigation for them under the instructions of their Board of Directors, through their president.

I have absolutely NO role in their organization whatsoever, except to provide legal services, as described in the *Law Society Act*, as requested, directed, and instructed by their Board of Directors, through their president.

Neither Ms. Toews, nor Mr. Warner, are on the Board of Directors of VCC.

- **Action -4-Canada**

Action-4-Canada has been a client of my law firm since October, 2020.

I act on their behalf giving legal advice, consultations, issuing legal opinions, and conducting litigation for them under the instructions of their Board of Directors, through their president.

I have absolutely NO role in their organization whatsoever, except to provide legal services, as described in the *Law Society Act*, and requested, directed, and instructed by their Board of Directors, through their president.

Neither Ms. Toews, nor Mr. Warner, are on the Board of Directors of Action4Canada.

- **Pertinent Chronology leading to Donna Toews' Complaint**

On or about October, 2020, I was approached by Action-4-Canada, and other co-Plaintiffs for a lawsuit, however the retainer was not yet crystalized.

On or about December 14, 2020 I received a call from a British Columbia lawyer, Ms. Polina H. Furtula. This lawyer was contemplating legal action against the British Columbia government over the COVID-19 measures imposed there. She requested that I collaborate with her, owing to my expertise in constitutional law and proceedings against the Crown. She indicated that her prospective clients were Mr. Kipling Warner and his organization Canadian Society for the Advancement of Science in Public Policy.

I respectfully declined, and advised Ms. Furtula that I had been approached by a British Columbia group (Action4Canada) and other plaintiffs, and had, in principle, agreed to act for them in a challenge to the COVID-19 measures, once a retainer crystalized.

In January 2021, I began working on the Notice of Claim (Statement of Claim) for my clients, Action4Canada and the co-Plaintiffs.

On January 29, 2021, I received a letter from Ms. Furtula. I attach that letter as **Tab 1** to this my response. The organization she represented, Canadian Society for the Advancement of Science in Public Policy, was established and run by Kip Warner. Contrary to what Ms. Furtula asserts in her letter, I did NOT invite her to participate in the constitutional challenge I was bringing on behalf of my clients.

Within a few days, an independent journalist, concerned about the contents of an email he received on behalf of Kip Warner and the Canadian Society for the Advancement of Science and Public Policy ("CSAPP"), Kip Warner, forwarded that email to my client. I attach this email as **Tab 2** to this my response.

On February 3rd, 2021, I responded to Ms. Furtula's letter. I attach my response as **Tab 3** to this my response. In this same letter, I also communicated with Mr. Warner's lawyer, Ms. Furtula, to issue a warning about Mr. Warner's defamation.

On August, 2021, I finalized and issued the Action4Canada, et al, Notice of Claim (Statement of Claim) in the British Columbia Court. I attach a copy as **Tab 4** to this my response. This claim is on behalf of various Plaintiffs, Action4Canada being one.

From August to Christmas, 2021, the Defendants to this British Columbia Statement of Claim dragged their heels over whether they would accept service for various Ministries and officials and requested an indulgence past the normal 30 days, to respond, which I granted. They also indicated that they wished to bring various motions to strike. I asked that they do so as soon as possible, under the instructions of my clients.

By Christmas day, 2021, the Defendants had not brought their motions. Over Christmas I became very ill. On December 25th, 2021, I was bed-ridden. On January 2nd, 2022, I was admitted for a critical illness to the ICU in hospital.

After being admitted to hospital on January 2, 2022, I entered a very serious and life-threatening 11-day coma during which coma I came, three (3) times, under a minute from being declared dead. Through the grace of God, I survived. On or about January 13th, 2022, the Defendants bought their motions to strike returnable February 22, 2022. Meanwhile, while I was in a coma and incapacitated under s.37 of the *Law Society Act*, I remained in a public hospital until my discharge on January 22, 2022. When I was no longer critical, but still acute, I was immobile and still required one-on-one nursing and acute medical care. I discharged myself as a patient from hospital and I had myself transferred by private ambulance to recover in a private medical setting with 24/7 care.

I did not return home until March 2, 2022, to continue recovering. I still have not regained full recovery at present.

The motion to strike set for February 22, 2022 was adjourned by my office to May 31st, 2022 in the hopes that I would be sufficiently and competently capable of arguing the various motions to strike via zoom-link. I was granted permission to appear by zoom-link and argued the various motions on May 31st, 2022. The various motion(s) to strike were heard on May 31st, 2022 and the Court has reserved its decision.

- **Donna Toews and Kip Warner**

I note, and learn for the first time, from your disclosure, that in January, 2022, while in hospital and in a coma, which was widely publicized (in fact false obituaries claiming I was dead emerged and ones are still online), Kip Warner was in communication with Donna Toews on how to make a complaint to the Law Society about me.

Kip Warner has also, and recently, orally communicated to a person, who does not want to be identified due to fear of Mr. Warner's military past and self-professed prowess as a computer hacker, that "I want to see to it that Rocco Galati is disbarred and charged with Fraud". Kip Warner, in discussions with the President of VCC, Mr. Ted Kuntz, insisted that because he (Kip Warner) "filed first", that the Action4Canada British Columbia claim had to be withdrawn and all donations to Action4Canada be returned, with the implication that they be forwarded to him to support his

litigation instead. Why? God only knows. But these are all details which are relevant to the present complaint.

Mr. Warner is under the delusion that he can claim, along with his "Canadian Society for the Advancement of Sciences in Public Policy" ("CSASPP") exclusive proprietary rights and monopoly to litigate the covid-measures in British Columbia. In pursuit of this he goes to all ends. (See **Tab 3** email to journalist).

Also attached as **Tab 5**, is a print-out from the CSASPP's website, (with Kip Warner as prime actor) continues to make defamatory statements against me and my colleagues. The irony is that the British Columbia Supreme Court struck Mr. Warner as a Plaintiff in one of his cases, for lack of standing. Attached, as **Tab 6**, is a copy of that decision.

Mr. Warner can litigate when and where he wishes. What he cannot do, is instigate defamatory statements, and conspire with Ms. Toews, to issue baseless LSO complaints to "see me disbarred." I note, and find it distressing, that in her complaint to the LSO, Ms. Toews requests that her identity be kept from me.

At this point, I have had enough with Mr. Warner, and have issued legal action against him, and Ms. Toews, over this last straw. Attached, at **Tab 7** is a copy of the Statement of Claim.

▪ **The Nature of My Practice**

I started my career (1987-1990) with the Department of Justice and since then, to the present, have been engaged in private practice mostly restricting my practice to proceedings against the Crown. Attached, as **Tab 8**, is a copy of my curriculum vitae, current to February, 2018.

Also attached as **Tab 9**, is a copy of all my reported cases, in the jurisprudence, which I argued, amongst many others that were not reported, current to 2019.

During the course of my career, in defending constitutional rights, I have had to withstand the relentless personal attacks, and several viable death threats, from racists, anti-Semites, and extremists who took issue with my Calabrian, Jewish heritage and/or my clients, labelling them and me, as "mobsters", "terrorists" or "anti-vaxxer".

The COVID-19 era is no exception. This is the **8th (!)** complaint, against me and one of my junior lawyers, the LSO has brought to my attention since the commencement of COVID-19 legal proceedings by my law firm on behalf of clients, just for doing our job(s) as lawyers, to the letter and spirit of Rule 5.1-1. In two of those complaints, the complainants were Defendants in cases we were conducting. I attach, as **Tab 10**, a copy of a Statement of Claim against one such racist anti-Semite, who made two (2) complaints against me, and one against my junior lawyer.

In my response to yet another one of those LSO complaints by the same person, attached here as **Tab 11**, on September 21, 2021, I stated the following to the intake and resolution counsel:

The other thing I cannot fathom is the Law Society of Ontario's approach and conduct in forwarding this to me for response at all. Ms. Nassar was on the previous Moore complaints. There seems to have been absolutely no minimal review of them, nor Ms.

Moore's website, to glean what Canuck Law and Ms. Moore are about with respect to me and my clients.

In my last correspondence, on a similarly outrageous complaint, by an outrageous individual, with respect to an attempt to censor my speech, I indicated that the next time I received one of these, I would commence action against the LSO, in the absence of an apology.

If I do not receive an apology from the LSO on this "Complaint" which should not even have reached me, if the minimum of research was done on Ms. Moore and her website, I will commence action against the LSO for negligent investigation and the newly-created tort of (online) harassment because, it seems to me, that the LSO is more than content and willing to be dupe and conduit for Ms. Moore's and Canuck Law's filth, anti-Semitic, racists, and derogatory harassment of me and my clients.

Attached, as **Tab 12**, is another response to yet another complaint similar to the one you have forwarded me for response by the LSO.

All previous 7 complaints have been dismissed, but I never received any apology, regret, nor recognition that anything was amiss in the Kingdom of the LSO, for negligence in screening frivolous and vexatious complaints against members who fearlessly execute their duty to the client, while suffering attacks on their reputation and practise in representing what some members of the general public refer to as "distasteful" clients. The lack of screening, research and furtherance of frivolous and vexatious complaints in light of the above warrants redress and is contrary to the principles set out under s.4.2. of the *Law Society Act*. With respect, it is actionable in damages, and other administrative and constitutional law redress.

▪ **Response to your Letter of May 2022**

Let me say, with respect, that it is obvious to me that, prior to sending your assumption-laden and, might I say, prejudicial accusations and threatening reference to s.49.3(2) of the *Law Society Act*, letter of May 19, 2022 for "response", you did absolutely no preliminary inquiry into either Ms. Toews nor her enabler Mr. Warner. In turn, as in previous frivolous and outrageous complaints I have had to respond to, the LSO becomes enabler and provides a platform for abuse.

You assumed that Ms. Toews was a client, notwithstanding that it is clear from Ms. Toews intake form, that she has **never** been my client.

Whatever donations Ms. Toews may have made, "on behalf of husband", to either VCC, or Action-4-Canada, have **nothing** to do with me. I have no knowledge of them, NOR any responsibility for them. I am retained by the organizations under the instructions of their Board(s), on a fee for service basis.

I never made **any** representations to Ms. Toews, let alone her husband, nor do I have any duty to report nor respond to her, even if she had contacted me, which to my recollection and knowledge she did not.

As to what happened to any purported donated funds to VCC or Action-4-Canada is beyond my knowledge and concern. However, in the spirit of co-operation I forwarded the complaint to my

clients and they have responded. I attach, at **Tab 13**, a letter from Vaccine Choice Canada and at **Tab 14** a letter from Action-4-Canada.

My clients have indicated that they do not want me to disclose solicitor-client privileged information as they are not complaining about me. I am instructed by the Boards of Directors of Vaccine Choice Canada and Action4Canada. Neither Ms. Toews nor Mr. Warner are on those boards.

In answer to the specific questions in your letter, I reproduce the questions and insert my answers below to your questions.

Question:

- **Please Advise what happened to the funds that Ms. Toews donated to Vaccine Choice Canada and Action4Canada, i.e., where were those funds directed to specifically?**
- **What is the relationship between you and Vaccine Choice Canada and Action4Canada? What is your role within these organizations?**
- **When Ms. Toews made her donations to these organizations, did she sign any forms? If so, please provide these.**

Answer: I have no involvement in the organizations, including any fund-raising efforts, and have no knowledge as to how these organizations spend their money. Both clients have retained me and paid me for legal advice, consultations, and opinions, as well as litigation.

Question:

- **Please advise:**
 - **-how much monies have been raised through donations to support the constitutional challenges?**
 - **In what form have these monies been received?**
 - **Are these funds being held in trust?**
 - **Have/are these funds been applied for their intended purpose? Please explain.**

Answer: See previous answer to first three questions. I have no role and no knowledge of my clients' fund-raising efforts or details with respect to fund-raising to run their organization(s), their operations and activities, nor expenses, including legal expenses. I have been paid by my clients for my services. I was paid by cheque(s) from these two organizations for services rendered.

Question:

- **What is the status of the constitutional challenge(s) that these funds are supporting/? Are you personally involved in these legal challenges?**

Answer: The status of these legal challenges is:

- (a) Action4-Canada: awaiting decision on various motions to strike.
- (b) VCC: The litigation is progressing in accordance with my client's instruction(s) and litigation strategy. (My client has, and had, a litigation strategy which they do not wish to fully disclose). My clients provide regular updates to their members.

I am personally in charge of the litigation.

Question:

- **Are you or another entity providing regular updates to donors? If so, how often and in what form are these updates provided?**

Answer: We (my firm) never have, nor are we, providing any "updates" to donors, as they are not our clients. The organization(s) provide updates to **their members**. On regular occasions, I have attended, at the request of my clients, zoom-meetings, in the form of "Q and As", with **my clients' members** to update and take questions on the state of law with respect to the COVID-19 measures, persons' duties/obligations and rights, and legal proceedings and decisions in Canada and other jurisdictions.

Question:

- **Please Respond to Ms. Toews Allegations that**
 - **she received no information about the progress of the constitutional litigation until after almost 18 months**
 - **Vaccine choice Canada, Action4Canada, and a third organization in Quebec have raised approximately 3.5 million to finance litigation in Ontario, British Columbia and Quebec.**
 - **She was not invited to any "members only" meetings with you as Vaccine Choice Canada had advised.**

Answer: What Ms. Toews has received, or not received, from VCC, is between her and VCC. What does this have to do with me? I repeat, she is not my client. I do not know her. I have never met her. I have had no communication with her. And, by the way, I am not telepathic.

With respect to her reference to \$3.5 million raised, I have no clue as to what she is referring to. I have no knowledge of how much money is/was received by VCC or Action4Canada, or "third organizations in Quebec, Ontario, or British Columbia", whomever they may be. It would have been prudent to put the questions to Ms. Toews to obtain particulars as to that assertion, which is far, wide, and nebulous, and lacks any source. In any event, this question cannot possibly be answered by me. Would you

expect an independently retained lawyer, retained to represent the Cancer Society or Salvation Army on a specific legal proceeding, to account for donations or donors to the Cancer Society or Salvation Army?

With respect to not being “invited” to any ‘members only’ meetings”, I am not the host of any of those organized or scheduled meetings, which my clients **sometimes** request that I attend. Incidentally, I do **NOT** have knowledge of or attend all those meetings, I am asked, by my clients, to attend specific meetings. There is no legal precedent specifying that a donor to an organization has the right to examine, challenge, and review the litigation strategy and pierce the solicitor-client relationship of the organization and their legal counsel. Hence, the allegation of “misleading” the donor, and “not acting with integrity” is baseless, preposterous and demonstrative of malice and/or bias.

I repeat my assertion that this complaint should never have reached me for response as it is clear from the intake-sheet that the complainant is NOT one of my clients, nor is there any indication that she ever communicated with me. Furthermore, any complaints, or questions, that Ms. Toews may have, are properly directed to the organizations and not me.

Duty of Fairness and Abuse of Discretion

As Intake and Resolution counsel you have discretion under s.49.3(1) of the *Law Society Act*, on whether to conduct an investigation or not, or put a complaint to a lawyer for response.

The LSO is not required to pursue every single random complaint, by unknown and unvetted individuals, against its members. Since there is discretion, the exercise of that discretion must be able to withstand some scrutiny and must, **de minimus**, meet the requirements of reasonableness. In exercising your delegated statutory authority and discretion under s.49.3(1) of the *Law Society Act*, you also owe a duty of fairness and this includes adherence to the principles of fundamental justice and the rule against bias at every step of the intake and investigation process as well as resolution of complaints in a fair and impartial manner.

Abusing the exercise of statutory authority, on the other hand, and abusing your discretionary power, results in the loss of jurisdiction. It is my submission that the Law Society does not have jurisdiction to proceed on Ms. Toews complaint and to do so is abusive.

With respect, the decision to conduct an investigation into, or, even the referral of the complaint of Ms. Toews for my response, exudes unfairness, and unreasonableness.

Notwithstanding that I requested particulars on these allegations, none were provided. In light of the fact that this is the ninth (8th) complaint entertained by the Law Society (specifically for COVID-19 litigation) in the course of two years alone, requiring extensive time and effort for response, is causing professional stress and mental distress, particularly at a time when I am physically vulnerable, for health reasons, is also tortious and actionable conduct.

With respect, given the (non) facts, the history, and context of these past and present allegations, the pursuit of this complaint is scandalous, insultingly prejudicial, and, frankly, stem and flow, unfortunately, from the same source of personally unfounded attacks against me as a person of Calabrian Jewish ancestry who represents views and clients despised by the majority of "Canadians", on constitutionally unpopular grounds. I regret to say that both as a lawyer, and former Benchler, some members of the public consider my clients and their causes "distasteful". Throughout my 33 plus years of practice, these personal attacks have been unfortunately just run-of-the-mill for me. This position and motive for random, non-client, unrelated, disgruntled "public" complaints against me, and my law practice, was made clear to the LSO on the previous frivolous and vexatious complaints, which were eventually dismissed. As counsel, you must execute the duty of fairness and apprise yourself of the context and history of the relationship between the present complaint and those of the past. You must also, at a minimum, ascertain, who the complaint and her affiliates are, the reasons for the complaint and the applicable **Rules**, based on facts, and not assumptions, **prior** to advancing the complaint asserting very serious allegations against me, to my attention for response. You failed to do so, and instead, have required me to do your work for you notwithstanding that I requested particulars on these allegations, and none were provided. At this point, after suffering seven prior ignorant abusive complaint allegations, I am justified in asking the question, "why is the LSO so quick to jump on the proverbial assumption accusation bandwagon?"

- **Your Erroneous Characterization of "Misleading and Did Not Act with Integrity".**

Your statement to me, in your email dated May 24th, 2022, takes this complaint beyond the pale when, in answer to my request for particulars, you stated:

With respect to the regulatory issues identified, these stem from Ms. Toews' complaint. Ms. Toews stated that she wanted her donations to be directed to you as the lawyer retained to bring constitutional challenges. However, she expressed concern that the funds may not have been applied to their intended purpose in view of the length of time since the litigation was funded and a statement of claim issued; the lack of updates provided to her; and a lack of transparency including her not being invited to 'members only' meetings with you. As such, the 'misleading' issue is directed to whether you may have misled Ms. Toews (and other similar donors) regarding the purpose and use of the donated funds.

The allegation of 'did not act with integrity' flows from this and concerns whether or not you were honest and transparent with those who made donations to fund the constitutional litigation.

It is apparent from her complaint form, that she never hired me, yet you jumped to those postulations. There is no duty to report to each and every donor of my client organization. I have no privity with them. I make, and made, no representations to them. Let alone "mislead" them. You have misapplied the **Rule**.

Neither Ms. Toews nor Mr. Warner are my clients. The standards of professional conduct I am required to meet are to be measured by the services I provide **my clients**

I have never had “any dealing in the course of my practice” with Ms. Toews. I have no relationship with her whatsoever.

Moreover Ms. Toews is directly and individually connected with Mr. Warner. Your intake failed to ascertain this. Had you performed this very basic and minimal scrutiny, the absurdity of the allegations, and that I am required to respond to an allegation that I have breached of the Rules, would become apparent.

The Rules cannot be stretched to an overly broad application to random, unrelated unknown members of the public who have a vindictive axe to grind with a lawyer. To propose such an overly broad application would cause the LSO complaints process to be inundated with frivolous, vexatious and abusive complaints and bring the administration and regulation of the profession into disrupt and disposition.

(a) “Misleading”

“Misleading appears in the Rules of Professional Conduct in the followings categories:

Marketing of Professional Services

4.2-0 In this rule, “marketing” includes advertisements and other similar communications in various media as well as firm names (including trade names), letterhead, business cards and logos.

4.2-1 A lawyer may market legal services only if the marketing

(a) is demonstrably true, accurate and verifiable;

(b) is neither **misleading**, confusing, or deceptive, nor likely to mislead, confuse or deceive; and

(c) is in the best interests of the public and is consistent with a high standard of professionalism.

As explained above, I did not market my services to this complainant. She is not my client, she has not hired me, I have never met or communicated with her. Ms. Toews **may** have sent a donation to organizations who have independently hired me to conduct litigation for them pursuant to a private retainer. The organization did not hire me based on any “marketing” whatsoever. There is no evidence or information in the complaint that I engaged in marketing that contravened the Rules because none exists. This can be confirmed by my clients, VCC and Action4Canada. The fact that these organizations collect donations to use at their discretion, and the terms of their donations, and how they allot their donations are between the organizations and their donors. I have nothing to do with it and therefore cannot account to you for it either. Therefore, the **Rule** is inapplicable.

The Rules of Professional Conduct also state, about “misleading”:

SECTION 4.1 MAKING LEGAL SERVICES AVAILABLE

Making Legal Services Available

4.1-1 A lawyer shall make legal services available to the public in an efficient and convenient way.

Restrictions

4.1-2 In offering legal services, a lawyer shall not use means that

- (a) are false or **misleading**;
- (b) amount to coercion, duress, or harassment;
- (c) take advantage of a person who is vulnerable or who has suffered a traumatic experience and has not yet had a chance to recover;
- (d) are intended to influence a person who has retained another lawyer or paralegal for a particular matter to change that representative for that matter, unless the change is initiated by the person or that representative; or
- (e) otherwise bring the profession or the administration of justice into disrepute.

As explained above, Ms. Toews is not my client, I have never communicated with her or misrepresented to her. I did not offer legal services to her. She never retained me. I did not request or solicit donations from her on behalf of any client or for my client’s litigation. The fact that she may have sent donations to organizations is between her and those organizations. This *Rule* is inapplicable.

(b) “Did not act with Integrity:

The Rules of Professional Conduct discuss “integrity”, as follows:

SECTION 2.1 INTEGRITY

2.1-1 A lawyer has a duty to carry on the practice of law and discharge all responsibilities to clients, tribunals, the public and other members of the profession honourably and with **integrity**.

Commentary

[1] **Integrity** is the fundamental quality of any person who seeks to practise as a member of the legal profession. If a **client** has any doubt about their lawyer's trustworthiness, the essential element in

the true **lawyer-client** relationship will be missing. If integrity is lacking, the lawyer's usefulness to the client and reputation within the profession will be destroyed, regardless of how competent the lawyer may be.

[2] Public confidence in the administration of justice and in the legal profession may be eroded by a lawyer's irresponsible conduct. Accordingly, a lawyer's conduct should reflect favourably on the legal profession, inspire the confidence, respect and trust of clients and of the community, and avoid even the appearance of impropriety.

[3] Dishonourable or questionable conduct on the part of a lawyer in either private life or professional practice will reflect adversely upon the **integrity** of the profession and the administration of justice. Whether within or outside the professional sphere, if the conduct is such that knowledge of it would be likely to impair a client's trust in the lawyer, the Law Society may be justified in taking disciplinary action.

[4] Generally, however, the Law Society will not be concerned with the purely private or extra-professional activities of a lawyer that do not bring into question the lawyer's professional integrity.

[4.1] A lawyer has special responsibilities by virtue of the privileges afforded the legal profession and the important role it plays in a free and democratic society and in the administration of justice, including a special responsibility to recognize the diversity of the Ontario community, to protect the dignity of individuals, and to respect human rights laws in force in Ontario.

2.1-2 A lawyer has a duty to uphold the standards and reputation of the legal profession and to assist in the advancement of its goals, organizations and institutions.

Commentary

[1] Collectively, lawyers are encouraged to enhance the profession through activities such as:

(a) sharing knowledge and experience with colleagues and students informally in day-to-day practice as well as through contribution to professional journals and publications, support of law school projects and participation in panel discussions, legal education seminars and university lectures;

(b) participating in legal aid and community legal services programs or providing legal services on a pro bono basis;

(c) filling elected and volunteer positions with the Law Society;

(d) acting as directors, officers and members of local, provincial, national and international bar associations and their various committees and sections; and

(e) acting as directors, officers and members of non-profit or charitable organizations.

[2] When participating in community activities, lawyers should be mindful of the possible perception that the lawyer is providing legal advice and a lawyer -client relationship has been created.

Notwithstanding my pointed request for particulars on how “integrity” was engaged, you did not provide any factual particulars. I submit that tis because none exist.

There are no facts in Ms. Toews’ complaints that provide basis for allegations of “dishonourable or questionable conduct”, indeed, no such conduct has been identified. Rule 2.1 should not be invoked and abused, for unauthorized purposes, or for acting on irrelevant considerations. The fact that Ms. Toews may have made a donation to my client is an irrelevant consideration. The *Law Society Act* does not authorize an investigation on that basis. Courts have frequently held that it is *ultra vires* for a statutory delegate to do so. Courts have also struck down arbitrary exercises of discretion where the delegate has acted upon no evidence or has ignored relevant considerations.

Contrary to your allegation, in all aspects, I upheld my obligations and acted with integrity in my dealing with both my clients, and others.

- **Rule 5.6-1**

Rule 5.6-1 states:

Encouraging Respect for the Administration of Justice

5.6-1 A lawyer shall encourage public respect for and try to improve the administration of justice.

I have not breached Rule 5.6 (1) of the *Rules*. You have not provided any evidence or allegation that I have. On the contrary, I have spent my entire career trying to improve the administration of justice and encourage public respect for it and the Rule of Law. My practice consists of litigating the most difficult of cases, often successfully. These are often perceived or labelled as “controversial cases” whereby individual unrelated and random unrelated members of the public having erratic and vile reactions against me personally for simply doing my duty as a constitutional lawyer, practising according to my oath. It has become “controversial” to question government policy on the Covid-19 and as a lawyer, representing clients who do question the government policy have come under attack.

In practising law, in a manner that upholds Rule 5.6-1, I have, regrettably, been the recipient of hate mail and subject to personal attacks and threats to my safety and my life. This is a regrettable, but not a new, phenomenon for me. When I represented clients charged pursuant to the Security Certificate provisions of IRPA and/or the Terrorism provisions of the *Criminal Code* I was virulently and invidiously slandered as a "terrorist lawyer", a "terrorist sympathizer" and even as a "terrorist" by random individual members of the public. That I "put the right of terrorists over citizens" and that I "defend citizenship of terrorists" are other examples. Those who attacked me believed in the global "war on terrorism" and that I was not entitled, as an advocate, to criticize or challenge the government's law in my statements or pleadings on behalf of my clients. These individuals alleged that by representing my clients, and making statements regarding the racism and racial profiling my clients were subjected to as Arabs and/or Muslims, by security services, in this country and elsewhere, that I was "a threat to the public" and the "security" of Canada.

Often the hate-mail directed against me, sometimes guised and cloaked as a "complaint", were coloured with racial bias and prejudice, and ethnic stereotyping, not only against my racial minority clients, but also against me as their ethnic minority lawyer. This is graphically illustrated by the institutional death threat I received while representing a Canadian citizen who was detained at Guantanamo Bay on allegations of "terrorism", wherein the "anonymous" caller demanded I cease representing "terrorists, or you a dead WOP!"

Revealingly, my non-ethnic and non-racial minority colleagues in the Bar, who also advocated on behalf of "terrorists suspects" and with whom I am well acquainted, did not receive the same barrage of hate mail or threats. This is not surprising given that many Royal Commissions, the SCC and the LSO have acknowledged the existence of racial and ethnic bias in the justice system and the legal profession. Racial and ethnic minority lawyers are disproportionately targeted for harsher treatment and unbridled harassment. They face discrimination within their own profession and prejudice from society and its members at large. Systemic and individual prejudice is pervasive.

It has not escaped me to consider ethnic malice as a root cause of this complaint. I have encountered this before: "Who does this Italian lawyer think he is to challenge our Canadian laws?". My suspicions are borne out in the current COVID context as I have received hate mail which is demeaning, reprehensible and xenophobic intended to intimidate me as an advocate. I am denominated as a: "scum lawyer", "mob lawyer", "mobster" - all referring to the stereotype of Italians as members of organized crime. That I "wasn't even born in Canada", that I am "a foreigner trying to change laws", and that I "will never be a Canadian, except in the civic sense, and even that is questionable."

However, what is equally troublesome and regrettable phenomenon for me, is that the LSO would give credence to the hate and prejudice, as illustrated by previous complaints forwarded by the LSO against me which I've had to respond to in order to dismiss. The LSO should act as a gatekeeper to defend the advocate who encourages public respect for and improvement to the administration of justice, as evidenced by my litigation record. Rather than defending the advocate for ethically and fearlessly

executing his duties, I am disheartened to learn that the LSO can be used as a vehicle for attacking a lawyer doing his/her job instead. To the extent that the LSO enables and allows for such harassment and attacks on me as a member, is an abuse of authority and discretion and constitutes tortious conduct. Furthermore, the **Rules** apply equally to you as a member personally and in your capacity as intake counsel. In particular, I would remind you of **Rule 7-2-1** and the requirement to "avoid ill-considered or uninformed criticism of competence and conduct". Ms. Toew's complaint, as well as that of her predecessor complainants with respect to COVID-19 litigation is frivolous and vexatious. Had you conducted the minimal research that I have, you would have arrived at this conclusion. By misapplying misusing and abusing your authority and amplifying and escalating the complaint in the manner that you have is a breach of your duty under Rule 7.

• **Rule 5.1-1: Lawyer as Advocate**

In closing, as a former elected Benchers, I completely understand your role in the Law Society's protection of the "public interest". I know that your job is not an easy one and your work-load is heavy. However, with the utmost respect, this "complaint" was not diligently, or competently vetted, examined or researched before being passed on to a member for response. Unfortunately, it could constitute institutional "rubber stamping" of targeted character assassination and motive to "disbar" and ruin a member's legal career by disgruntled and random unrelated non-client individuals. It could also encourage the proliferation of hate-mail and retaliatory vindictive "complaints" against lawyers.

The intake process must act, in part, as a gatekeeper to sift through spurious and misdirected rantings and scandalous allegations (intended to intimidate and harass lawyers from acting as advocate), from that of legitimate complaints. This is not the LSO's first failure within the COVID litigation context.

I would remind you of Rule 5.1-1, which reads:

5.1-1 When acting as an advocate, a lawyer shall represent the client resolutely and honourably within the limits of the law while treating the tribunal with candour, fairness, courtesy, and respect.

And the first commentary to that Rule which reads and dictates that:

[1] Role in Adversarial Proceedings - In adversarial proceedings, the lawyer has a duty to the client to raise fearlessly every issue, advance every argument and ask every question, however distasteful, that the lawyer thinks will help the client's case and to endeavour to obtain for the client the benefit of every remedy and defence authorized by law. The lawyer must discharge this duty by fair and honourable means, without illegality and in a manner that is consistent with the lawyer's duty to treat the tribunal with candour, fairness, courtesy and respect and in a way that promotes the parties' right to a fair hearing in which justice can be done. Maintaining dignity, decorum

and courtesy in the courtroom is not an empty formality because, unless order is maintained, rights cannot be protected.

The LSO is tasked with protection of the public, but also of the legal profession and its members, regardless of the client or case. Rule 5.1-1 is a cornerstone for Canada's justice system. The intake counsel's job is to not only protect the public, but also protect the profession from the public's vile, unjustified, false, and scandalous attack on lawyers, which is not in concert with the "public interest". It is not in your jurisdiction and mandate to jump on the proverbial "hate bandwagon".

In another context, outside of a Regulatory complaint, Donna Toews would have been successfully sued for defamation for her comments, and not be the assumptive springboard from which to catapult an unsubstantiated query sent to me for response. Ms. Toews comments and complaints are unfoundedly outrageous and malicious. That Kip Warner, given his history, added the fuel to the fire, is the more offensive. Yet, regrettably, you acted on them.

After this 8th, post-COVID, "from -COVID", "with COVID", LSO baseless complaint, I still await a LSO apology for having had to respond to them, failing which I will seek redress for unauthorized abusive conduct through legal proceedings in the Courts.

In responding to this complaint, I was required to disclose my personal health information as defined in the *Personal Health Information Protection Act* which is strictly private and highly confidential. While I have made this information available only to you, I do not authorize the disclosure or release of my private health information to anyone else, particularly the complainant and her affiliates and co-conspirators. I trust that any and all of my personal health information will be strictly protected.

Yours very truly,

Per:



Rocco Galati, B.A., LL. B, LL.M.

RG*sc

Encls.



Court File No.:

"Schedule B"

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

ROCCO GALATI

Plaintiff

- and -

**DONNA TOEWS (AKA "DAWNA TOEWS"), KIPLING WARNER, CANADIAN
SOCIETY FOR THE ADVANCEMENT OF SCIENCE AND PUBLIC POLICY ("CSAPP"),
DEE GANDHI, JANES AND JOHNS DOE**

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS:

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 of 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, A 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 CLAIMs, and \$10,000.00 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: , Issued by:

Address of Local Office: 393 University Ave.
10th Floor
Toronto, Ontario
M5G 1E6

TO:
Donna Toews (Aka Dawna Toews)
10 Garth Street
Guelph, Ontario
N1H 2G3
dawnatoews@hotmail.com

AND TO:

KIPLING WARNER
Vancouver, BC Canada
kip@thevertigo.com

AND TO:

CANADIAN SOCIETY FOR THE ADVANCEMENT
OF SCIENCE AND PUBLIC POLICY
Unknown Address
Fax: +1 (604) 256-3060
Tel: +1 (604) 256-3060
reception@covidconstitutionalchallengebc.ca

AND TO

Dee GANDHI

Address/contact unknown

c/o CANADIAN SOCIETY FOR THE ADVANCEMENT
OF SCIENCE AND PUBLIC POLICY

Unknown Address

Fax: +1 (604) 256-3060

Tel: +1 (604) 256-3060

reception@covidconstitutionalchallengebc.ca

CLAIM

1. The Plaintiff claims:

General damages as against the Defendants, as follows:

- (a) \$500,000.00, as against the Defendants, Kipling Warner, Dee Gandhi and the Canadian Society for The Advancement of Science and Public Policy, for libel and slander (defamation), and irresponsible publication;
- (b) As against all Defendants, severally and jointly, conspiracy to undermine the Plaintiff's solicitor-client relationships, interference with economic interests and intentional infliction of mental anguish and distress;
- (c) As against all Defendants, severally and jointly, aggravated damages as against the Defendants in the amount of \$250,000.00;
- (d) As against all Defendants, severally and jointly, punitive damages in the amount of \$250,000.00;
- (e) an interim and permanent injunction requiring the retraction, removal, and prominent apology for any and all defamatory publication and/or remarks by the Defendants;
- (f) As against Kipling Warner, Dee Gandhi, and The Advancement of Science and Public Policy, \$100,000.00 for harassment as delineated by the Superior Court of Ontario in *Caplan v Atas, 2021 ONSC 670*;
- (g) an interim and permanent injunction prohibiting the Defendants, or anyone directly or indirectly associated with them, from posting or disseminating defamatory posts on the internet.

(h) prejudgment interest pursuant to s. 128 of the *Courts of Justice Act R.S.O. 1990 c.*

C43; and

(i) costs of this action on a substantial indemnity basis and such further or other relief as this Court deems just.

THE PARTIES

(a) The Plaintiff

2. The Plaintiff, Rocco Galati, is a senior lawyer, practicing in Toronto, Ontario, who has been practicing law since he was called to the bar in Ontario in 1989. The Plaintiff practices law through his law firm Rocco Galati Law Firm Professional Corporation “duly” incorporated under the laws of Ontario and requirements of the *Law Society Act*.
3. Rocco Galati is a highly regarded and prominent lawyer. He has been a Member of Canadian Who’s Who (since 2011). In 2014 and 2015 he was named one of the Top 25 Influential Lawyers by Canadian Lawyer Magazine. In 2015 he was awarded the OBA (Ontario Bar Association) President’s Award. He was in fact the first lawyer to receive the award.
4. Between May 2015 and May 2019, he served as an elected benchler for the Law Society of Ontario (LSO). Between May 2015 to February, 2021, he also served as a Hearing Panel Member (Adjudicator) of the Ontario Law Society Tribunal (LST).
5. Rocco Galati has litigated, regularly, at all level Courts, including Tax Court, Federal Court (of Appeal), all levels of Ontario Courts, other Provincial Superior Courts, as well as the Supreme Court of Canada. He has litigated in several provinces including Ontario, British Columbia, Alberta, Manitoba, and Quebec. He has, as counsel, well

over 500 reported cases in the jurisprudence. Some of his major cases include: *Baker v. Canada (Minister of Citizenship and Immigration)*, 1999 CanLII 699 (SCC), [1999] 2 SCR 817, *Reference re Supreme Court Act, R.S.C. 1985 (Canada)*, *Reference re Section 98 of the Constitution Act, 1867, R. v. Ahmad*, [2011] S.C.J. No. 6 (Toronto 18 Terrorism Case); *Felipa v. Canada*, [2011] F.C.J. No. 135, *Wang v. Canada*, 2018 ONCA 798.

6. Rocco Galati has been asked to speak and has spoken, regularly, at various Law and other Conferences, as well as Law Schools, Universities and High Schools, across Canada from 1999 to present.
7. Rocco Galati is the founder and Executive Director of Constitutional Rights Centre Inc. since its inception in November, 2004.
8. Rocco Galati has authored/co-authored books such as: “*Criminal Lawyer’s Guide to Immigration and Citizenship Law*” (1996), “*The Power of the Wheel: The Falun Gong Revolution*” (2001). He has also produced three Films, “*Two Letters & Counting...*” 2008-2011, written, directed and performed by multi-Genie Award winning Tony Nardi, on the state of art and culture in Canada, and the treatment of “Aboriginal” and “Other” “Canadians” by the Two Solitudes Tribes of Canada, and on the Funding of “Canadian” Art and “Culture”.

(b) The Defendants

9. The Defendant, Donna Toews (aka “Dawna Toews”), is a resident of Ontario. She has represented her name to be “Donna Toews” to the Law Society of Ontario, but

represents her name to be “Dawna Toews” on her business profile, social media, and email. The Plaintiff has had no personal connection nor contact with Ms. Toews. Ms. Toews made a complaint to the Law Society of Ontario against the Plaintiff on January 15th, 2022, which was forwarded by the Law Society to the Plaintiff on May 19th, 2022.

10. The Defendant, Kipling Warner, is a resident of British Columbia. The Plaintiff has had no personal connection nor contact with Kipling Warner. Kipling Warner encouraged and directed Donna Toews (aka “Dawna Toews”) to make the Law Society of Ontario complaint against the Plaintiff and otherwise defamed the Plaintiff, as set out in the within Statement of Claim. Kipling Warner is the Director of the Canadian Society for the Advancement of Science and Public Policy.
11. The Defendant, Dee Gandhi, is the treasurer for the Canadian Society for the Advancement of Science and Public Policy.
12. The Defendant, The Canadian Society for The Advancement of Science and Public Policy, is a not-for-profit organization, established and promoted by Kipling Warner for the purposes of conducting anti-COVID measures litigation in British Columbia.
13. The Defendant(s) Janes and Johns Doe are Defendants unknown to the Plaintiff at this time, but who assisted the named Defendants in the named Defendants’ tortious and actionable conduct against the Plaintiff.

FACTS

- **Donna Toews (aka “Dawna Toews”)**

14. The Plaintiff does not know Donna Toews (aka “Dawna Toews”).
15. Ms. Toews has never been the Plaintiff’s client.
16. To his recollection, the Plaintiff has never had any direct contact with Ms. Toews.

- **Kipling Warner and Associates**

17. The Plaintiff does not know Kipling Warner. The Plaintiff has had contact, through Mr. Warner’s solicitor, as set out below, to issue a caution with respect to his defamatory statements against the Plaintiff and interfering with the Plaintiff’s solicitor-client relations, including with Vaccine Choice Canada and Action4Canada.
18. The Plaintiff does not know Dee Gandhi. The Plaintiff has never had any direct contact with Mr. Gandhi.

- **Vaccine Choice Canada**

19. Vaccine Choice Canada (hereinafter “VCC”) has been a client of the Plaintiff’s law firm since 2015.
20. The Plaintiff acts on VCC’s behalf giving legal advice, consultations, issuing legal opinions, and conducting litigation for VCC, under the instructions of VCC’s Board of Directors, through their president.

21. The Plaintiff has absolutely NO role in their organization whatsoever, except to provide legal services, as described in the *Law Society Act*, as requested, directed, and instructed by their Board of Directors, through their president.

- **Action4Canada**

22. Action4 Canada has been a client of the Plaintiff's law firm since October 2020.
23. The Plaintiff acts on Action4Canada's behalf giving legal advice, consultations, issuing legal opinions, and conducting litigation for them under the instructions of their Board of Directors, through their president.
24. The Plaintiff has absolutely NO role in their organization whatsoever, except to provide legal services, as described in the *Law Society Act*, as requested, directed, and instructed by their Board of Directors, through their president.
25. Neither Ms. Toews, Mr. Warner, nor Mr. Gandhi, are on the Board of Directors of VCC or Action4Canada.

- **Pertinent Chronology leading to Donna Toews' Complaint to the Law Society of Ontario**

26. On or about October, 2020, the Plaintiff was approached by Action4Canada, and other co-Plaintiffs, in British Columbia, for a lawsuit, however the retainer was not yet crystalized.
27. On December 5, 2020, the Defendant Kipling Warner, first contacted Tanya Gaw, the head of the Board of Directors for Action4Canada, indicating that he had organized a "similar" campaign to hers and directed her view his lawsuit's GoFundMe page.

28. On or about December 14, 2020, the Plaintiff received a telephone call from a lawyer from British Columbia, Ms. Polina H. Furtula. This lawyer indicated that she was contemplating legal action against the British Columbia government over the COVID-19 measures imposed there. She requested that the Plaintiff collaborate with her, owing to his expertise in constitutional law and proceedings against the Crown. Ms. Furtula's client(s) were Kipling Warner and his organization, The Canadian Society for The Advancement of Science and Public Policy.
29. The Plaintiff respectfully declined, and advised Ms. Furtula that he had been approached by a British Columbia group (Action4Canada) and other plaintiffs, and had, in principle, agreed to act for them in a challenge to the COVID-19 measures, once a retainer crystalized.
30. In January 2021, the Plaintiff began working on the Notice of Claim (Statement of Claim) for Action4Canada and other co-Plaintiffs.
31. On January 27, 2021, the Defendant, Dee Gandhi, Kipling Warner's colleague, and treasurer of Canadian Society for the Advancement of Science in Public Policy, sent an independent journalist, Dan Dicks from Press for Truth, a defamatory email about the Plaintiff. This journalist forwarded that email to the Plaintiff's client, Action4Canada. The email indicated that the Canadian Society for the Advancement of Science in Public Policy had filed their statement of claim, but then made defamatory remarks against the Plaintiff and the case brought by the Plaintiff, asserted that the Defendants had brought their case first and therefore would have "carriage of the matter", and then asked to assist them in soliciting donations on their behalf for their legal proceeding.

32. On January 29, 2021, the Plaintiff received a letter from Ms. Furtula indicating that she represented the Canadian Society for the Advancement of Science in Public Policy, that she had filed on behalf of her client(s) and therefore the Plaintiff could not file any proceedings on behalf of his clients.
33. On February 3rd, 2021, the Plaintiff responded to Ms. Furtula's letter indicating her client did not have exclusive monopoly to litigation against the Crown. The Plaintiff also, in the same response, issued a warning to Ms. Furtula about Mr. Warner's defamatory conduct against the Plaintiff.
34. From January 2021 and onward, the Defendants, Kipling Warner, his organization Canadian Society for the Advancement of Science in Public Policy, and his associates from the Canadian Society for the Advancement of Science in Public Policy, including Dee Gandhi, continued defaming the Plaintiff to the Plaintiff's clients, and others.
35. In or around June, 2021, the Defendants posted defamatory content about the Plaintiff on the Canadian Society for the Advancement of Science in Public Policy's webpage, which content disparaged the Plaintiff, and made further defamatory comments about the Plaintiff and the legal action(s) for which he had been retained. As a result, the Plaintiff's clients, Action4Canada and VCC, began receiving messages from their members concerned about the Defendants' statements.
36. On August, 2021, the Plaintiff finalized and issued the Action4Canada, et al, Notice of Claim (Statement of Claim) in the British Columbia Supreme Court. This claim was on behalf of various Plaintiffs, Action4Canada being one, in British Columbia Court File No.: BCSC NO. VLC-S-S-217586.

37. From August to Christmas, 2021, the Defendants to this Statement of Claim, on behalf of Action4Canada and others, dragged their heels over whether they would accept service for various Ministries and officials and requested an indulgence past the normal 30-day deadline, to respond, which the Plaintiff granted. They also indicated that they wished to bring an application (motion) to strike. The Plaintiff asked that they do so as soon as possible, under the instructions of his clients.
38. By Christmas day, 2021, the Defendants had not brought their motions to strike. Over Christmas, the Plaintiff became very ill. On December 25th, 2021, the Plaintiff was bed-ridden. On January 2nd, 2022, the Plaintiff was admitted for a critical illness to the ICU in hospital.
39. After being admitted to hospital in January 2, 2022, the Plaintiff entered a very serious and life-threatening 11-day coma during which coma the Plaintiff came, three (3) times, under a minute from being declared dead. Through the grace of God, he survived. On or about January 13th, 2022, the Defendants, in British Columbia Supreme Court file no.: VLC-S-S-217586, brought their motions to strike returnable February 22, 2022. Meanwhile, while the Plaintiff was in a coma and incapacitated under s.37 of the *Law Society Act*, he remained in a public hospital until his discharge on January 22, 2022. When he was no longer critical, but still acute, he was immobile and still required one-on-one nursing and acute medical care. He was discharged as a patient from a public hospital and he transferred himself to recover in a private medical setting with 24/7 care.
40. The Plaintiff did not return home until March 2, 2022, to continue recovering. He still has not regained full recovery at present.

41. The motion to strike, which had been set for February 22, 2022, in British Columbia, was adjourned by the Plaintiff's office to May 31st, 2022 in the hopes that he would be sufficiently and competently capable of arguing the motion to strike via zoom-link. The Plaintiff was granted permission to appear by zoom-link and argued the motion on May 31st, 2022. The motion(s) to strike were heard on May 31st, 2022 and the Court has reserved its decision.
42. While the Plaintiff lay in a coma, in January, 2022, the Defendant Kipling Warner was conspiring and encouraging Donna Toews (aka "Dawna Toews") to file a complaint against the Plaintiff with the Law Society of Ontario.
43. On January 15th, 2022, Ms. Toews filed her complaint to the Law Society of Ontario, which was forwarded to the Plaintiff on May 19th, 2022. The complaint alleged that the Plaintiff "misled" and "failed to act with integrity" because Ms. Toews, who had allegedly made a \$1,000 donation, "in her husband's name", to the Plaintiff's clients, VCC and Action4Canada, to support their litigation, had not been personally apprised and updated by the Plaintiff, as well as not been invited to those organizations' members-only meetings, and complained about the pace of the litigation, notwithstanding that:
- (a) Donna Toews (aka "Dawna Toews"), has never been a client of the Plaintiff;
 - (b) The Plaintiff has never met with, been contacted by, nor ever had any communications with Donna Toews (aka "Dawna Toews"),

(c) The Plaintiff has had absolutely no role in his client (organization) and is not privy to their fundraising efforts nor how they spend their money apart for his legal services;

(d) The Plaintiff has no role in organizing any of his clients' members-only meetings.

The Plaintiff states that the substance of the complaint by Donna Toews (aka "Dawna Toews"), directed and encouraged by Kipling Warner, simply parrots the defamatory remarks made by the other three co-Defendants.

- **Donna Toews (aka "Dawna Toews") and Kipling Warner**

44. While in hospital and in a coma, which was widely publicized (in fact false obituaries claiming the Plaintiff was dead emerged and ones are still online), Kipling Warner was in communication with Donna Toews, via email, on how to make a complaint to the Law Society about the Plaintiff.
45. Kipling Warner has also, and recently, orally communicated to a person, who does not want to be identified due to fear of Mr. Warner's military past and self-professed prowess as a computer hacker, that "I want to see to it that Rocco Galati is disbarred and charged with Fraud". Kipling Warner, in discussions with the President of VCC, Ted Kuntz, insisted that because he (Kipling Warner) "filed first", that the Action4Canada British Columbia claim, which VCC supported, had to be withdrawn, and all donations to Action4Canada be returned, with the implication that the donations be forwarded to him, Kipling Warner, to support his litigation instead.

46. Mr. Warner is under the delusion that he can claim, along with his “Canadian Society for the Advancement of Sciences in Public Policy” (“CSASPP”) exclusive proprietary rights to litigate the covid-measures in British Columbia. In pursuit of this he goes to all ends.
47. Mr. Warner, furthermore continued to make defamatory statements against the Plaintiff on CSASPP’s website, <https://www.covidconstitutionalchallengebc.ca>. The irony is that the British Columbia Supreme Court struck Mr. Warner as a Plaintiff in one of his cases, for lack of standing, in British Columbia Supreme Court file No.: S-2110229.
48. The Plaintiff states that the Defendants, Mr. Warner and Mr. Gandhi, personally, in their email to the Plaintiff’s client, and through their Canadian Society for the Advancement of Sciences in Public Policy website, <https://www.covidconstitutionalchallengebc.ca>, uttered and published defamatory statements against the Plaintiff, namely:

(a) In his email to an independent journalist, dated February 1, 2021, Mr. Gandhi wrote, as follows:

Hope you are doing well. I just wanted to update you on the fact that the Canadian Society for the Advancement of Science in Public Policy (CSASPP) has filed their pleadings against the Crown and Bonnie Henry (Provincial Health Minister) as of Jan 26th, 2021. Please see link: <https://www.scribd.com/document/492237670/Notice-of-Civil-Claim>
You are welcome to share this with anyone and everyone.

This is our certificate of Incorporation :
<https://www.scribd.com/document/492256545/CSACPP-Certificate-of-Incorporation>

Now that we have started the litigation process, we are still in need of Funding. Action 4 Canada has still not filed with Rocco. **Legally at this point Rocco can't really file in BC anymore. The case law is that for class actions, it's the first to the court house that generally has**

carriage of the file. If you would be so kind to share with everyone so to help the cause.

<https://www.gofundme.com/f/bc-supreme-court-covid19-constitutional-challenge>

this might interest you further.

Here are some talking about regarding Action 4 Canada and Rocco

(1) Rocco isn't licensed to practice here in BC. He can always be retained in Ontario and in turn retain counsel in BC. But then you are paying for two law firms. You can verify that he is not licensed to practice here in BC at this page:

<https://www.lawsociety.bc.ca/lsc/apps/lkup/mbr-search.cfm>

(2) The lawyer Rocco wishes to retain here in BC is named Lawrence Wong. He specializes in immigration law. He was sanctioned in 2010 for his conduct by a Federal Court judge and fined. See for yourself:

<http://canlii.ca/t/2bz73>

(3) A Federal Court judge wrote in his judgment a few years ago that Rocco was found to have excessively billed for his time:

<<http://canlii.ca/t/gfl0p#par7>>

(4) The same judgment questioned Rocco's competency in constitutional law:

<<http://canlii.ca/t/gfl0p#par9>>

(5) Rocco is not a "constitutional law" lawyer. There is no such professional designation in Canada, nor in particular in BC. That's not to say, however, that a lawyer cannot have an area of expertise like personal injury, strata, mergers and acquisitions, class actions, and the like. But in Rocco's case his area of expertise is tax law.

<<https://tgam.ca/3n8Zuyo>>

(6) Every lawyer I know that has reviewed Rocco's Ontario pleadings said it was very poorly drafted. It will most likely get struck and never make it to trial to be heard on its merits. The reason being is he brings in all kinds of other topics that aren't necessary (Gates, 5G, vaccines, etc.) to obtain the order that he wants. This is how it likely would be struck:

http://canlii.ca/t/8lld#sec9_5

(6) Rocco wants far too much money to get started. This seems in line with (2);

(7) Nothing has been accomplished in Ontario since Rocco filed around six months ago. The defendants haven't even filed replies, despite the option to apply for a default judgment being available for the majority of that time;

(8) Even if he won in Ontario, it wouldn't have any direct bearing on us here in BC because health care is under a provincial mandate under s 92(13) of the constitution. In other words, the Ontario Superior Court of Justice has no jurisdiction over what cabinet ministers do in BC.
See:

<<https://bit.ly/2Li6Baw>>

(9) We are (CSASPP) a non-profit, non-partisan, and secular society. We are legally required to have a certain level of accounting controls and transparency

Thank you Dan, and I look forward to your response and your help.

(b) In or around June 2021, the Canadian Society for the Advance of Sciences in Public Policy, Mr. Kipling and the other directors of the Society, have posted the following, about the Plaintiff:

Are you affiliated with Rocco Galati? If not, why?
We receive communications regularly from Mr. Galati's past donors with concerns. We are asked what became of the substantial funds that the community raised for him or his third-party fundraising arms. We do not have any information, were not involved in raising funds for either, nor did we ever seek to retain Mr. Galati. **If you have concerns about his conduct, any member of the general public can submit an electronic complaint to the Ontario Law Society to initiate a formal investigation.**

We are not affiliated with Mr. Galati. There are many reasons.

Mr. Galati is not licensed to practise law in British Columbia for any extended period of time. He can always be retained in Ontario, and in turn retain counsel in British Columbia. This is not unusual.

However, then you are paying for two law firms. Anyone can verify whether a lawyer is licensed to practise law in British Columbia here.

We were advised directly by Mr. Galati himself that the lawyer he wished to retain in British Columbia is Lawrence Wong. Mr. Wong was personally sanctioned in 2010 for his conduct by a Federal Court judge with a fine.

A Federal Court judge noted in his reasons for judgment that some of Mr. Galati's billings were "excessive and unwarranted" in a separate proceeding. The same judge declined to award the full amount sought by Mr. Galati for his legal fees in that constitutional proceeding. The outcome has been discussed by other lawyers.

Mr. Galati is sometimes described by his followers as our nation's "top constitutional law" lawyer, yet there is no such professional designation in Canada, nor in particular in British Columbia. That is not to say that a lawyer cannot have an area of expertise like personal injury, strata, mergers and acquisitions, class actions, and the like. According to Mr. Galati, he studied tax litigation at Osgoode Hall. The Globe and Mail reported Mr. Galati "makes his money from doing tax law, not constitutional cases."

Mr. Galati filed a COVID-19 related civil proceeding in the Superior Court of Justice in Ontario on 6 July, 2020. To the best of our knowledge, as of 30 October, 2021, none of the twenty-one named defendants have filed replies, despite the plaintiff being at liberty to apply for a default judgment for the majority of that time. In an interview published 2 September, 2020, Mr. Galati claimed he intended to do his best to have an interlocutory mask injunction application heard before the Christmas holidays of 2020. As of 11 June, 2021, we are not aware of any scheduled hearings and no orders appear to have been made.

49. The Plaintiff states that neither Mr. Warner, nor the website, <https://www.covidconstitutionalchallengebc.ca>, constitute a "broadcaster" under the *Libel and Slander Act* and, in any event, are not entitled to Notice under *s.5 of the Libel and Slander Act*, as they do not comply with the requirements of s.8 of that *Act*, in providing a prominent address for service.

• **Defamation**

50. The Plaintiff states, and the fact is, that the above-cited statements are/were false, and untrue statements, and further, by innuendo, defamatory and caused damage to the Plaintiff in that they tended to lower the esteem and reputation of the Plaintiff in the fair-minded members of the community, which statements were also designed to interfere with the Plaintiff's contractual obligations and economic interests, for all of which he has suffered, and continues to suffer, considerable financial damages and damage to reputation for the malicious, untruthful, and defamatory statements.
51. These untrue and false statements were malicious, irresponsible, negligent, and uttered with malicious intent, in that they attempt to assert and convince the public that the Plaintiff is *inter alia*:
- (a) Violating the rules of conduct of his profession;
 - (b) Being immoral;
 - (c) Misappropriating donors' funds intended to for the legal proceeding;
 - (d) Not being licensed to practice law, and therefore charging twice (charging for a British Columbia law firms legal fees as well as his own);
 - (e) Excessive and unwarranted billing (the Defendants misapply a case here by insinuating a judge had found that the Plaintiff had charged his clients too much in a legal proceeding, when actually the case was about the Plaintiff trying to recuperate the costs of a proceeding that he had conducted out of his own pocket, which he had brought against the government in his own name,

- where he had not charged anyone legal fees, and which case he had been successful and therefore was entitled to costs, the subject of that decision);
- (f) Insinuating that “other lawyers” did not hold him in high esteem;
 - (g) Making his money in other areas of law and therefore not being a constitutional lawyer;
 - (h) Of purposely delaying the legal proceedings or of purposely delaying taking further steps in the legal proceeding;
 - (i) conning innocent people/clients out of their money;
 - (j) Representing his client for subversive motives and not for the public good;
 - (k) Intentionally failing to advance the COVID-19 cases on which he has been retained.

These statements are also saturated with defamatory innuendo that the Plaintiff is incompetent.

52. The Defamatory statements were published across multiple platforms and widely circulated by the Defendants and others, as well as specifically directed to the Plaintiff's clients.
53. Neither the Defendant, Kipling Warner, nor any representative of Canadian Society for the Advancement of Science in Public Policy, including the treasurer, Dee Gandhi, provided the Plaintiff the opportunity to answer the allegations before publishing the defamatory statements.

- **Conspiracy**

54. The Plaintiff states and fact is, that the Defendants, Donna Toews (aka “Dawna Toews”), Kipling Warner, Dee Gandhi, the Canadian Society for the Advancement of Science in Public Policy, as well as other “duped co-conspirators” engaged in the actionable tort of conspiracy to undermine the Plaintiff’s solicitor-client relationship with his clients, which relationships are statutorily, at common law, and s.7 of the *Charter* protected, as well as conspired to interfere with the Plaintiff’s economic interests with his clients, pursuant to civil conspiracy as set out by the Supreme Court of Canada, in, inter alia, *Hunt v. Carey Canada Inc.*, 1990 CanLII 90 (SCC), [1990] 2 SCR 959, which set out that the tort of the conspiracy comprised of the following features:

- (a) In the first place there will be an actionable conspiracy if two or more persons agree and combine to act unlawfully with the predominating purpose of injuring the plaintiff.
- (b) Second, there will be an actionable conspiracy if the defendants combine to act lawfully with the predominating purpose of injuring the plaintiff.
- (c) Third, an actionable conspiracy will exist if defendants combine to act unlawfully, their conduct is directed towards the plaintiff (or the plaintiff and others), and the likelihood of injury to the plaintiff is known to the defendants or should have been known to them in the circumstances.

55. The Plaintiff further states that the Defendants further conspired to engage in actionable abuse of process through the Law Society complaint.

- **The Law Society Complaint as an Abuse of Process**

56. The Plaintiff further states that Donna Toews’ Law Society complaint constitutes an actionable abuse of process in law, brought in bad faith, and absence of good faith, as

set out by the facts pleaded above and the jurisprudence in that, under the jurisprudence, abuse is made out where:

- (a) the plaintiff must be a party to a legal process initiated by the Defendant, in this case a complaint to the Law Society of Ontario;
- (b) the legal process must have been initiated for the predominant purpose of furthering some indirect, collateral and improper objective;
- (c) the defendant took or made a definite act or threat in furtherance of the improper purpose; and
- (d) some measure of special damage has resulted.

The Plaintiff states that Ms. Toews, Mr. Warner, and Mr. Gandhi, and the Canadian Society for the Advancement of Science in Public Policy, took and made acts, as well as post-facto statements in furtherance of their improper purpose of trying to shut down the Action4Canada et al, lawsuit in British Columbia, and improperly attempting to redirect funds raised by Action4Canada, to the Defendants, Kipling Warner, Dee Gandhi, and the Canadian Society for the Advancement of Science in Public Policy. All this damaged and continue to damage the Plaintiff by way of reputation and his solicitor-client relationships.

57. The Plaintiff further states that the Defendants, in their actions knowingly intended, and in fact inflicted, mental anguish and distress through their actions against the Plaintiffs, all of which go to punitive damages.

- **Interference with Economic Interest**

58. The Plaintiff states that, through their conduct and actions, the Defendants have engaged in interference with the Plaintiff's economic interests as set out by the facts, pleaded above, and set out by the jurisprudence in that:

- (a) the Defendants intended to injure the plaintiff's economic interests;
- (b) the interference was by illegal or unlawful means; and
- (c) the Plaintiff suffered economic harm or loss as a result.

The Plaintiff states that the actions of the Defendants were intended to injure the Plaintiff's economic interests in his clientele, through defamatory and other tortious and unlawful interference and means as set out above, which resulted in economic harm and loss to the Plaintiff, through his reputation, and client base.

- **Online Harassment**

59. The Plaintiff further states that, in addition to defamation, the conduct of the Defendants, Kipling Warner and his CPSAPP, further constitutes the newly-recognised tort of (online) harassment as delineated by the Ontario Superior Court in *Caplan v Atas 2021 ONSC 670*.

60. The Plaintiff states, and the fact is, that the Defendants have engaged in:

- (a) Repeated and serial publications of defamatory material;
- (b) Which defamatory material was not only designed and directed at the Plaintiff, but further designed to cause the Plaintiff further distress by targeting persons

the Plaintiff cares about, namely his clients and his clients' supporters, so as to cause fear, anxiety and misery;

As set out by the Superior Court in **Caplan v Atas 2021 ONSC 670**, at paragraph 68.

• **Liability of The Defendants and the Relief Sought**

61. The Plaintiff states that the Defendants are liable to the Plaintiff, jointly and severally, as set out in paragraph 1 of the within statement of claim, for the instances and reasons pleaded above.
62. The Plaintiff therefore seeks the relief set out in paragraph 1 of this statement of claim.
63. The Plaintiff further pleads any and all documents mentioned in this statement of claim as documents referred to in the pleadings herein.

The Plaintiff proposes that this action be tried in Toronto.

Dated at Toronto this 28th day of June, 2022.


ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
Rocco Galati
1062 College Street, Lower Level
Toronto, Ontario M6H 1A9
TEL: (416) 530-9684
FAX: (416) 530-8129
Email: rocco@idirect.com

Lawyer for the Plaintiff, on his own behalf

Court File No.:

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

STATEMENT OF CLAIM

Name: ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
Rocco Galati

Address: 1062 College Street
Lower Level
Toronto ON M6H 1A9

Telephone No.: 416-530-9684

Fax No.: 416-530-8129

Lawyer for the Plaintiff,
on his own behalf

-70-

Court File No.:

Rocco Galati

Sharon Greene et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

STATEMENT OF CLAIM

Name: ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
Rocco Galati, B.A., LL.B., LL.M.

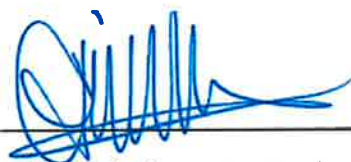
Address: 1062 College Street
Lower Level
Toronto ON M6H 1A9

Telephone No.: 416-530-9684

Fax No.: 416-530-8129

Lawyer for the Plaintiff,
on his own behalf

This is Exhibit “⁰⁰” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023



A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

December 1, 2020

Private & Confidential

Sent by email only rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Two Butlers
Case No.: 2020-246673

On October 23, 2020, the Intake & Resolution Department of the Professional Regulation Division received a letter of complaint from an individual(s) referring to themselves as Two Butlers.

The Complainant was complaining about posts you may have made on social media. The Law Society wrote to Two Butlers, requesting further information and/or documentation in relation to the complaint. To date, the Law Society has not received a response. Consequently, I have closed the case. However, should the Complainant provide the requisite information and/or documentation, we may consider reactivating the case.

I do not require a response from you, as the Law Society does not intend to pursue this matter further at this time.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Electronically filed / Déposé par voie électronique : 15-Mar-2023

Court File No./N° du dossier du greffe : CV-22-00683322-0000

Toronto Superior Court of Justice / Cour supérieure de justice

Subject: PRIVATE & CONFIDENTIAL - Law Society of Ontario

Date: Tue, December 1, 2020 1:30 pm

To: "rocco@idirect.com" <rocco@idirect.com>

Law Society File No.: 2020-246673

Dear Mr. Galati,

I write with hope that you are keeping safe and healthy during this unprecedented time,

I also write to notify you that the Law Society has received a complaint from an individual(s) who refers to themselves as Two Butlers. Please find attached a copy of my letter dated today. You will note that this file has been closed and there are no steps for you to take at this time.

Yours truly,

—
Samantha Nassar

Counsel, Intake & Resolution

Law Society of Ontario
393 University Ave, Suite 1100, Toronto, ON M5G 1E6

t. 416-947-3300 ext. 2098

e. snassar@lso.ca

The Intake & Resolution department is working electronically and the best way to send us information is by email. If you send us information by mail or courier, our response may be delayed.

Law Society of Ontario Barreau de l'Ontario

This communication is intended for use by the individual(s) to whom it is specifically addressed and should not be read by, or delivered to, any other person. Such communication may contain privileged or confidential information. If you have received this communication in error, please notify the sender and permanently delete the communication. Thank you for your co-operation.

La présente communication ne vise que le ou les destinataires à qui elle est adressée et ne devrait être lue par personne d'autre, ni envoyée à un autre destinataire. Ce message peut contenir des renseignements confidentiels ou de nature privilégiée. Si vous avez reçu ce message par erreur, veuillez en avvertir l'expéditeur et le détruire de façon permanente. Merci de votre collaboration

Attachments:**Read_Only_Galati, R - 2020-12-01.pdf**

Size: 173 k

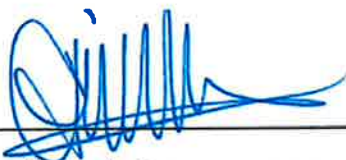
Electronically filed / Déposé par voie électronique : 15-Mar-2023

Court File No./N° du dossier du greffe : CV-22-00683322-0000

Toronto Superior Court of Justice / Cour supérieure de justice

INTO:Read_Only_Galati, R - 2020-12-01.pdf

This is Exhibit “⁸⁸” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by several vertical strokes and a horizontal flourish.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Lindsay H.
Case No.: 2020-245374

The Law Society has completed its review of the complaint received from Lindsay H., by the Intake & Resolution Department on September 9, 2020 and the additional materials you provided.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to the complainant.

Complaints Resolution Commissioner

The complainant has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>. The Law Society will inform you in writing if the complainant requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar

Intake & Resolution Counsel

Telephone: (416) 947-3300, ext. 2098

Facsimile: (416) 947-3382

Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 2 pages

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

December 30th, 2020

VIA EMAIL AND REGULAR MAIL

Samantha Nassar
Intake & Resolution Counsel
Law Society of Ontario
393 University Avenue
Suite 1100
Toronto, Ontario
M5G 1E6
snassar@lso.ca

Re: Complaint Against Rocco Galati by Lindsay H.; Case No.: 2020-245374

This is my Reply to the individual public “complaint” of Ms. Lindsay H. and your letter dated December 17th, 2020.

In a follow-up email, with respect to Rule 4.1-2, you clarified that I need to address Rule 4.1-2(1)(a) and (d) of that Rule with respect to the referenced statement in your letter.

While the letter does not provide a hint as to how the statement could in any way raise *any* issue(s) of being “false or misleading”, or “otherwise bring the administration of justice into disrepute”, I will respond as best as I can.

In fact, a modicum of research would have revealed that the statement is a distilled, informational summary of the law in Ontario, and elsewhere.

Would you please elucidate how the statement, on its face, raises any issue of “false misleading statements” or “otherwise brings the administration of justice into disrepute”? Since your letter does not do so, I can only surmise that it is a disconcerting assumption.

- **The emails of “Lindsay H” attached to “complaint”.**

I do not know Lindsay H. I have never spoken to her or had any contact or communication with her. She has never been my client. Your letter attaches her emails as “letters of complaint for my review”. However, I am at a loss as to how I am supposed to respond to the emails with respect to the *Rules*.

Her attached emails are incoherent and replete with errors, unfounded assumptions, spurious claims and troublesome allegations for the following reasons:

- (a) I have **never, nor do I now**, represent(ed) Christopher Saccoccia, whom she describes, as “an emotionally unstable and dangerous anti mask conspiracy theorist”;
- (b) How does her personal opinion and claim regarding Mr. Saccoccia concern me? How can she falsely claim that I represent Mr. Saccoccia without the intake process vetting it? And how can it then be forwarded to me for serious consideration and timely response?
- (c) Furthermore, the appallingly iniquitous claim that I, as an advocate, executing my professional duties to my client and members of the public am “a threat to the public”, is a preposterous allegation to put forward to me for response. Threats to the public are matters for police investigation. They must not be made lightly, and must not be pandered to by professional regulatory bodies.

How could these incomprehensible and hateful emails be deemed a “complaint”? And then, how could this “complaint” have been forwarded to me without consideration of the above and the impact it would have on: 1) me as a member, 2) my execution of my professional obligations and oaths, and 3) my family, due to the stressors? This “complaint”, intentionally or unintentionally, serves only to support and strengthen irate individuals of society, at large, *to intimidate lawyers* who represent clients and do cases they personally “dislike” or “disagree” with, *and to threaten them* with disciplinary action for doing so. Clearly the “complainant” seeks to see me disbarred or disciplined because she disagrees or dislikes my “client” and/or their “claims”. Given this, and with all due respect, the LSO should be weary of such attempts and not allow itself to be used as a rubber stamp for baseless, egregious and malicious insults to be hurled at lawyers who take carriage of matters that individual members of society may have personal, political, sociological or philosophical objections to.

In fact, it is shocking that this email “complaint” has reached the point that I am required to respond to unchecked facts, and, insulting attacks on my person and profession. The untrue “facts” and disparaging personal comments are then used as the basis of Professional Misconduct allegations. Nevertheless, I respond as follows, as you require.

Lawsuits against the COVID-19 measures **have** been filed in Canada, in the USA, in England, in Portugal, in Austria, in Romania, and many other jurisdictions. Many have been argued successfully. So what? Why is it beyond belief that an individual or organization would challenge forced vaccination when the Supreme Court of Canada and Appellate Courts have ruled that **no** medical treatment can be administered without informed, voluntary consent, because, to do so, violates s.7 of the *Charter*? At the end of the day, whether or not a properly filed legal claim is frivolous or vexatious is for the Courts to determine, not an irate individual via a professional regulatory body. It is the LSO’s duty to ensure and

maintain access to justice for individuals who seek to file legal claims for our judiciary to adjudicate, and also to respect the independence and mechanisms of our legal system, regardless of how unsavoury an individual may consider the *lis*. It is not the function of the LSO to have the Professional Regulation process be misused to abuse lawyers doing cases individual members of the public personally dislike.

In her follow up email, of September 11, 2020, "Lindsay H" purports to be speaking "on behalf of many concerned citizens". Unintelligible and malevolent accusations are made against me personally as a lawyer acting for litigants challenging the legal authority and jurisdiction of the government measures regarding the COVID pandemic. She reviles me of being a "COVID-19 denier" and "conspiracy theorist". I do not know what these terms mean, but, in its tone and content, this constitutes "hate mail".

I do **not** make posts on Facebook. I am **not** on Facebook nor have a Facebook account. This is another false assertion.

She then contemptuously accuses me of "making more people get sick and die" and that "I mock these deaths and treats them as irrelevant". How can I be expected to respond to this? It is just more hate mongering and constitutes "hate mail". I have never mocked anyone's death. These are nothing more than disdainful comments and constitute "hate mail".

She further writes and accuses that, I "encourage anti-maskers". My only response to this is that I do not know what "anti-masker" means. Citizens, under the law have a **right** to not wear a mask if they are exempt under the masking law, as set out below.

"Lindsay H" does not set out what medical and scientific expertise she has, or consulted, to make her cosmic, enveloping conclusions with respect to the science, medicine, law, and how my duties as a lawyer are "making people sick and killing them". Your letter does not state whether the LSO made any efforts to ascertain this before forwarding the "complaint"/ hate-mail to me.

- **"My Statement"**

My statement that you cite arose out of the fact that I was getting inundated with phone-calls and emails (between 1,500 -1,700) from people who had medical conditions exempting them from the requirement to wear a mask but, whose legal exemption was not being respected and complied with, by business owners, who were acting in contravention of the law. These individuals, virtually all, asked what the simplest, least costly avenue of redress would be, short of hiring a lawyer, and going through the inordinate legal expenses of enforcing their right.

My statement is an informative summary of what the law of masking is in Ontario, and elsewhere, and duplicated by various municipalities, including Toronto.

Section 2 of **Regulation 546/20** requires masking indoors **unless** the person is exempt under s.2(4) under various circumstances, wherein the pertinent provisions read:

2(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that

is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area ***unless the person in the indoor area,***

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...
- (g) ***has a medical condition that inhibits their ability to wear a mask or face covering;***
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area,
 - (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) ***is being reasonably accommodated in accordance with the Human Rights Code;*** or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

- *Ontario Regulation 546/20*, pursuant to *The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020*, at paragraph 2(4)

Section 2(6) of **Regulation 546/20** further states:

(6) For greater certainty, it is ***not necessary*** for ***a person to present evidence*** to the person responsible for a business or place that they are entitled ***to any of the exceptions set out in subsection (4).***

- *Ontario Regulation 546/20*, pursuant to *The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020*, at paragraph 2(6).

In addition, denial of entry, based on a medical condition, contravenes s.1 of the *Ontario Human Rights Code* as discrimination based on a disability, which sections reads:

Services

1 Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status **or disability**. R.S.O. 1990, c. H.19, s. 1; 1999, c. 6, s. 28 (1); 2001, c. 32, s. 27 (1); 2005, c. 5, s. 32 (1); 2012, c. 7, s. 1.

- *Human Rights Code, R.S.O. 1990, c. H.19*, at s.1.

In light of the above, my statement is not, and could not be, “false”, “misleading” or “otherwise bring the administration of justice into disrepute”. I await your articulated rationale for accepting Lindsay H.’s hate mail and legitimizing it in the form of a “complaint” for me to be required to respond under threat of investigation. It is respectfully submitted that Intake and Resolutions should not be so vulnerable to the temperaments and whims of random members of the public, who opine that a lawyer must not do her or his job to uphold the rule of law and defend clients, if it does not align with their own personal opinions, likes or dislikes.

With respect, what *is* “false”, “misleading” and “brings the administration of justice into disrepute” is Lindsay H.’s “hate mail” emails and the requirement that I respond formally under threat of investigation/sanction.

It is obvious from “my statement”, read together with ten minutes of analysis and research, that it is neither “false”, “misleading”, nor “brings the administration of justice into disrepute”. Therefore, the *Rules* in 4. 1-2 are not engaged by my statement.

• Rule 5.6-1

My statement does not engage Rule 5.6 (1) of the *Rules*. On the contrary, I have spent my entire career (over 31 years) trying to improve the administration of justice and encourage public respect for it and the Rule of Law. My practice consists of litigating the most difficult of cases, often successfully. These are often perceived or labelled as “controversial cases” where individual and random members of the public having erratic and vile reactions against **me** personally for simply doing my duty as a constitutional lawyer, practising according to my oath.

In practising law, in a manner that upholds Rule 5.6-1, I have, regrettably, been the recipient of hate mail and subject to personal attacks and threats to my safety and my life. This is not a new phenomenon for me. When I represented clients charged pursuant to the Security Certificate provisions of *IRPA* and/or the Terrorism provisions of the *Criminal Code* I was virulently and invidiously slandered as a “terrorist lawyer”, a “terrorist sympathizer” and even as a “terrorist” by random individual members of the public. That I “put the right of terrorists over citizens” and that I “defend citizenship of terrorists” are other examples. Those who attacked me believed in the global “war on terrorism” and that I was not entitled, as an advocate, to criticize or challenge the government’s law in my statements or pleadings on behalf of my clients. These individuals alleged that by representing my clients, and making statements regarding the racism and racial profiling my clients were subjected to as Arabs and/or Muslims, by security services, in this country and elsewhere, that I was “a threat to the public” and the “security” of Canada.

Often the hate-mail directed against me, sometimes guised and cloaked as a “complaint”, were coloured with racial bias and prejudice, and ethnic stereotyping, not only against my racial minority clients, but also against me as their ethnic minority lawyer. This is graphically illustrated by the institutional death threat I received while representing a Canadian citizen who was detained at Guantanamo Bay on allegations of “terrorism”, wherein the “anonymous” caller demanded I cease representing “terrorists, or you a dead WOP!”

Revealingly, my non-ethnic and non-racial minority colleagues in the Bar, who also advocated on behalf of “terrorists suspects” and with whom I am well acquainted, did *not* receive the same barrage of hate mail or threats. This is not surprising given that many Royal Commissions, the SCC and the LSO have acknowledged the existence of racial and ethnic bias in the justice system and the legal profession. Racial and ethnic minority lawyers are disproportionately targeted for harsher treatment and unbridled harassment. They face discrimination within their own profession and prejudice from society and its members at large. Systemic and individual prejudice is pervasive.

It has not escaped me to consider ethnic malice as a root cause of Lindsay H’s hate mail, as was the case for the anonymous bully quoted above. I have encountered this before: “Who does this Italian lawyer think he is to challenge our Canadian laws?”. My suspicions are borne out in the current COVID context as I have received hate mail which is demeaning, reprehensible and xenophobic intended to intimidate me as an advocate. I am denominated as a: “scum lawyer”, “mob lawyer”, “mobster” – all referring to the stereotype of Italians as members of organized crime. That I “wasn’t even born in Canada”, that I am “a foreigner trying to change laws”, and that I “will never be a Canadian, except in the civic sense, and even that is questionable.”

The “letters of complaint”, emails, from Lindsay H are yet another erratic, provocative, hateful tirade against me and ethnic prejudices play a role in sending it. While I sympathise with whatever personal angst she may have with respect to the COVID pandemic, it has nothing to do with me as a lawyer. Her redress lies elsewhere.

However, what is a new phenomenon for me, is that the LSO would give credence to the hate and prejudice. Rather than defending the advocate for ethically executing his duties, I am disheartened to learn that the LSO can be used as a vehicle for attacking a lawyer doing his/her job. As the intake counsel, you failed to specify what in my “statement” drew you to conclude it engages *Rule 5.6-1* and on what basis.

• **Rule 7.5-1**

With respect to *Rule 7.5-1*, my statement is not engaged as I have not infringed my obligations to any client, the Courts, or the administration of justice. On the contrary, my statement is in furtherance of the administration of justice as it impacts the most vulnerable segments of the public, being the disabled, and it is with respect to constitutionally and quasi-constitutionally entrenched human rights. Moreover, it is in furtherance of the law as enacted by the Ontario Legislature under O. Reg. 546/20, as set out above, as well as other Provinces in their masking exemptions and under *Human Rights Codes*.

- **Rule 5.1-1: Lawyer as Advocate**

In closing, as a former elected Benchers, I completely understand your role in the Law Society's protection of the "public interest". I know that your job is not any easy one and your work-load is heavy. However, with the utmost respect, this "complaint" was not diligently, or competently vetted, examined or researched before being passed on to a member for response. Unfortunately, it could constitute institutional "rubber stamping" of hate mail and prejudice by disgruntled and random individuals. It could also encourage the proliferation of hate-mail and retaliatory vindictive "complaints" against lawyers.

For example, in the past three days it has been brought to my attention that a Defendant in an action for defamation that I filed on behalf of a client has posted similarly outrageous and vile twitter posts solely on the basis of me representing a client over an issue on which he not only disagrees, but is a named party. I attach his posts. Notwithstanding his capacity as a medical doctor these outrageous statements speak for themselves. Apart from boldly stating that I do not have a right to take certain cases, a response to his tweets labels all lawyers who take cases with which they disagree "domestic terrorists". In his tweets he specifically references you, Ms. Samantha Nasser, with your address, email and phone coordinates and pointedly encourages others to file LSO complaints against me, referring to a LSO complaint number with which I am not acquainted. I do not, and will never, accept this type of hate-mail, and neither should the Law Society. I will not tolerate being asked to respond to such hate mail in the future. I will seek redress from the Courts.

The intake process must act, in part, as a gatekeeper to sift through spurious and misdirected rantings and scandalous allegations (intended to intimidate and harass lawyers from acting as advocate), from that of legitimate complaints. This is not the first failure within the COVID litigation context. Prior to your letter of December 17, 2020, I received correspondence, also from you, regarding completely unsubstantiated and, revealingly, *anonymous* "complaints" made by "*Two Butlers*". I query who are (is) the "*Two Butlers*"?

I would remind you of Rule 5.1-1 which reads:

5.1-1 When acting as an advocate, a lawyer shall represent the client resolutely and honourably within the limits of the law while treating the tribunal with candour, fairness, courtesy, and respect.

And the first commentary to that Rule which reads and dictates that:

[1] Role in Adversarial Proceedings - In adversarial proceedings, the lawyer has a duty to the client to raise fearlessly every issue, advance every argument and ask every question, however distasteful, that the lawyer thinks will help the client's case and to endeavour to obtain for the client the benefit of every remedy and defence authorized by law. The lawyer must discharge this duty by fair and honourable means, without illegality and in a manner that is consistent with the lawyer's duty to treat the tribunal with candour, fairness, courtesy and respect and in a way that promotes the parties' right to a fair hearing in which

justice can be done. Maintaining dignity, decorum and courtesy in the courtroom is not an empty formality because, unless order is maintained, rights cannot be protected.

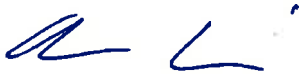
The LSO is tasked with protection of the public, but also of the legal profession and its members, regardless of the client or case. Rule 5.1-1 is a cornerstone for Canada's justice system. The intake counsel's job is to not only protect the public, but also protect the profession from the public's vile, unjustified, false, and scandalous attack on lawyers, which is not in concert with the "public interest". It is not in your jurisdiction and mandate to jump on the proverbial "hate bandwagon".

In another context, outside of a Regulatory complaint, "Lindsay H." would have been successfully sued for defamation for her comments, and not be the assumptive springboard from which to catapult an unsubstantiated query sent to me for response. Lindsay H.'s comments and complaints are unfoundedly outrageous and hateful. Yet, regrettably, you acted on them.

Given all of the above, I am entitled to an apology.

Yours very truly,
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION

Per:

A handwritten signature in blue ink, appearing to be 'R. Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B, LL.M.
RG*bl



Terry Polevoy, MD
@TerryPolevoy

Replying to @TerryPolevoy and @AgainstRallies

I direct you to the LSO Chapter 2.1 rules of professional conduct for Ontario lawyers. Section 3. Would a client of any legal professional who openly flogs anti-vaccine, anti-mask, and anti-government positions figure on whether or not that would influence their trust?

[3] Dishonourable or questionable conduct on the part of a lawyer in either private life or professional practice will reflect adversely upon the integrity of the profession and the administration of justice. Whether within or outside the professional sphere, if the conduct is such that knowledge of it would be likely to impair a client's trust in the lawyer, the Law

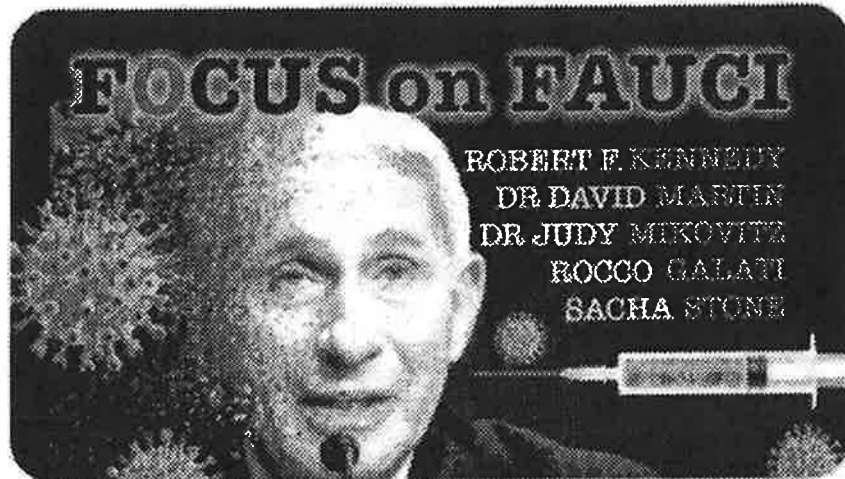
Society may be justified in taking disciplinary action.

1

12:14 PM · 2020-12-30 · Twitter Web App

1 Like

instagram.com/p/CJZA77hBlGj/...



1



Terry Polevoy, MD
@TerryPolevoy

...

Replying to @skion64

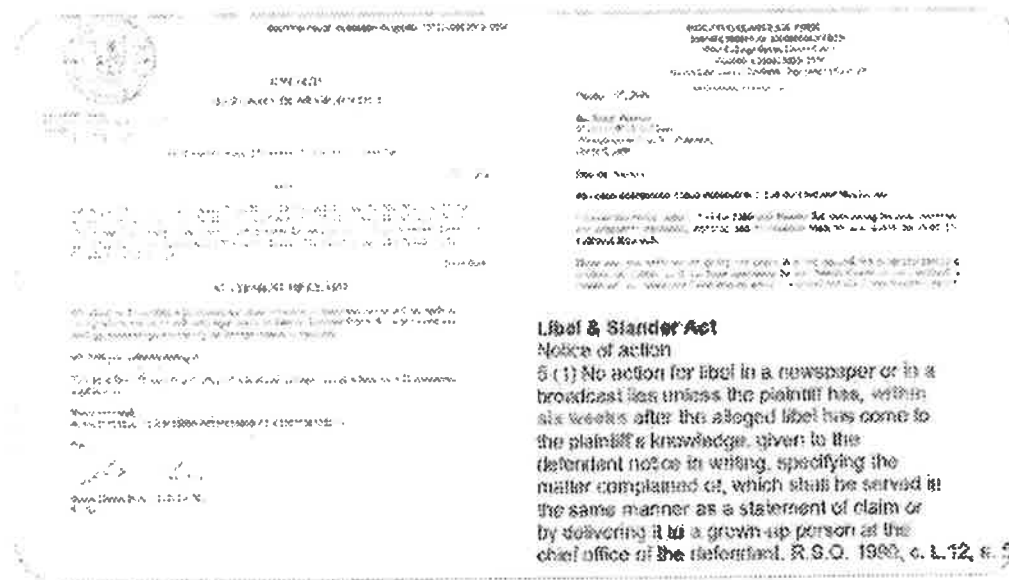
FILE COMPLAINTS AGAINST
GALATI:

Samantha Nassar

Counsel Intake & Resolution

Law Society of Ontario
393 University Ave. Suite 1100
Toronto, ON
M5G 1E6
416-947-3300 ext. 2098
snassar@lso.ca

File # 2020-246780



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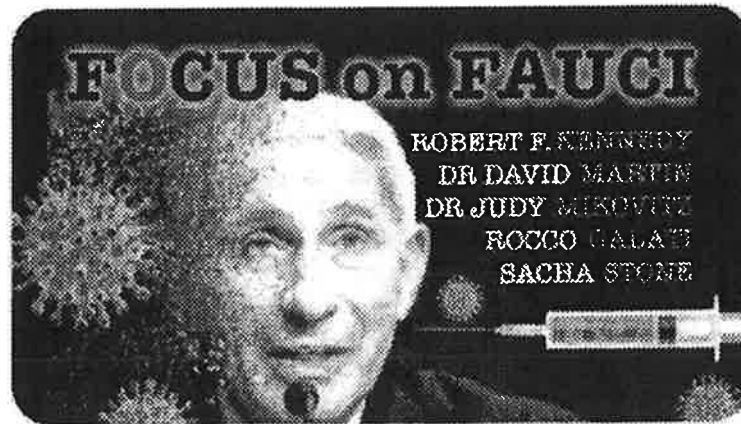
Sk(wv (skion64) @skion64 · 18h

From Sacha Stone:

January 5th, 11 am EST/ 4pm GST. I'll be
hosting Dr Robert Kennedy Jr, Dr David
Martin, Dr Judy Mikovitz, & Dr Rocco Galati

in a 2011 livestream expose, Eugene,
genocide and treason be damned!

[instagram.com/p/CJZA77hBIGY/...](https://www.instagram.com/p/CJZA77hBIGY/)



1



Terry Polevoy, MD
[@TerryPolevoy](https://www.instagram.com/TerryPolevoy)

no

Replying to @skion64

**FILE COMPLAINTS AGAINST
GALATI:**

Samantha Nassar
Counsel, Intake & Resolution
Law Society of Ontario
393 University Ave. Suite 1100
Toronto, ON
M5G 1E6
416-947-3300 ext. 2098
snassar@lso.ca

File # 2020 246700



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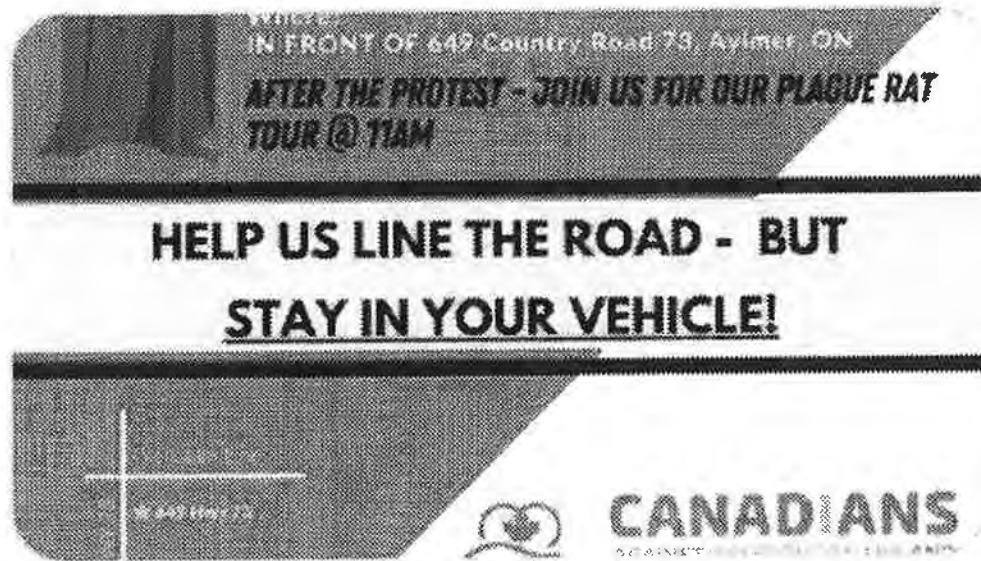
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Canadians Against "Freedom... · 17h

We will not stop until these domestic terrorists are stopped



3



5



9



Terry Polevoy, MD

@TerryPolevoy

Replying to @AgainstGillies

Ask them how much money they've put away to defend themselves in

Libel & Slander Act
Notice of action
 5 (1) No action for libel in a broadcast lies unless the plaintiff commences the action within six weeks after the alleged libelous broadcast, if the plaintiff knew of the broadcast at the time of the broadcast, or within six weeks after the plaintiff's knowledge, if the plaintiff did not know of the broadcast at the time of the broadcast, of the matter complained of, which knowledge must be proved by the plaintiff by delivering it to a grown-up person in the chief office of the defendant.

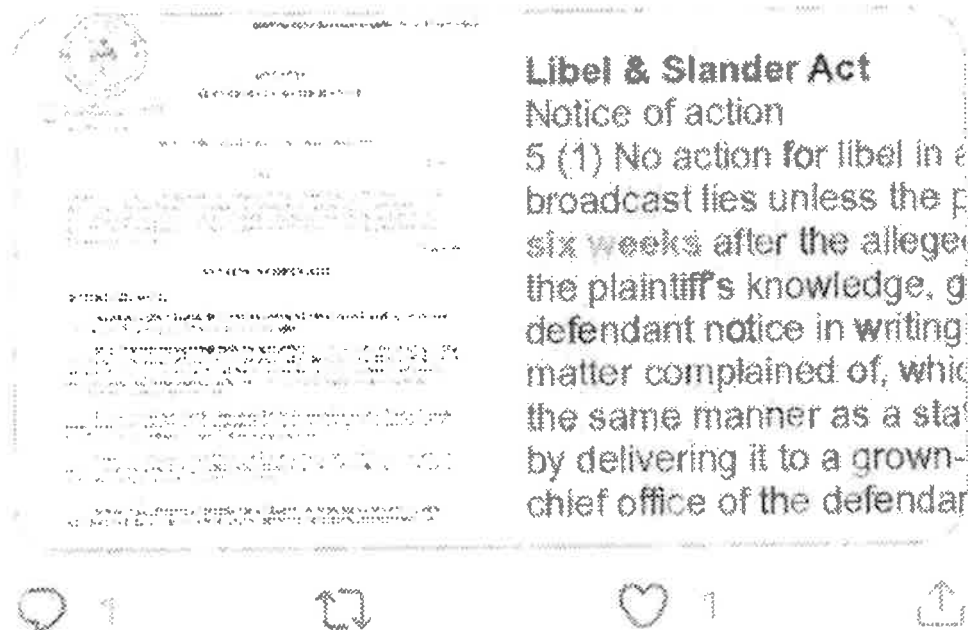
Like

CANADIANS



Terry Polevoy, MD @TerryPolevoy · 1h ...

Ask them how much money they've put away to defend themselves in court! Did they earmark a large portion to go to lawyers like Rocco Galati? If they did, what was the retainer? It is very disappointing that Rocco filed vexatious lawsuit against some of us. Too late!



Terry Polevoy, MD
@TerryPolevoy

Replying to @TerryPolevoy and @AgainstRallies

I direct you to the LSO Chapter 2.1 rules of professional conduct for

Ontario lawyers. Section 37 would a
client of any legal professional who
openly flogs anti-vaccine, anti-mask,
and anti-government positions figure
on whether or not that would
influence their trust?

(3) Dishonourable or questionable conduct on the part of a lawyer in either private life or professional practice will reflect adversely upon the integrity of the profession and the administration of justice. Whether within or outside the professional sphere, if the conduct is such that knowledge of it would be likely to impair a client's trust in the lawyer, the Law Society may be justified in taking disciplinary action.

12:14 PM · Dec 30, 2020 · Twitter Web App



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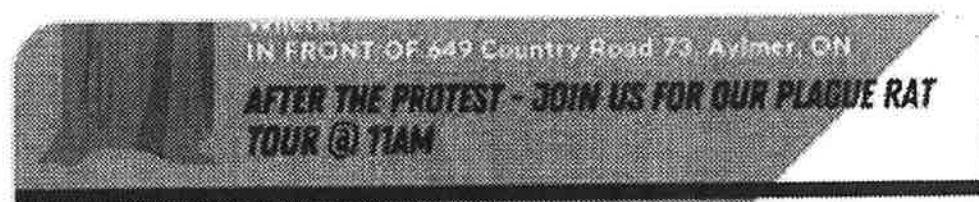
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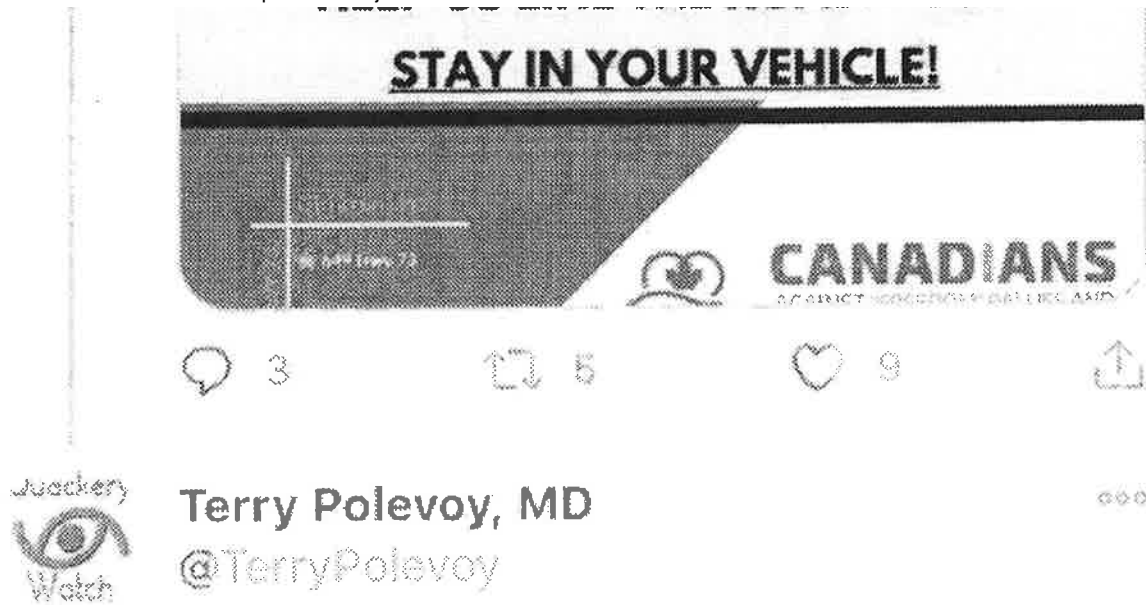
Canadians Against "Freedom... · 17h



We will not stop until these domestic
terrorists are stopped

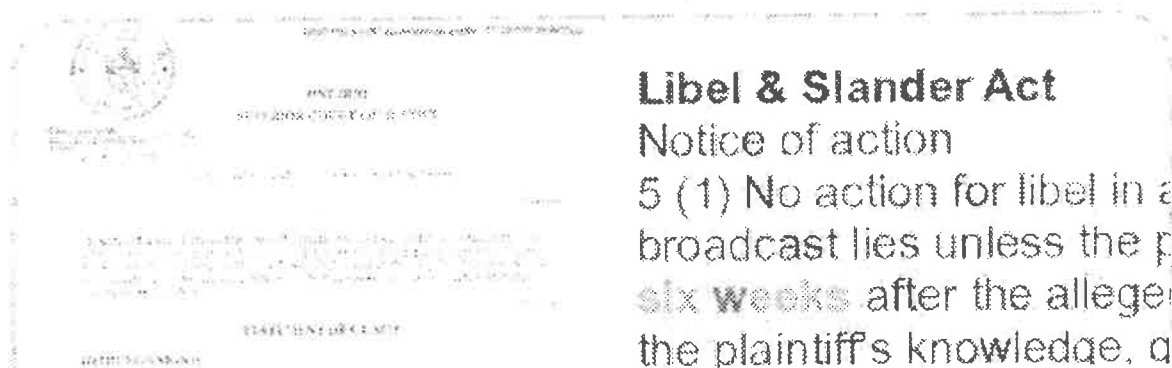


WE D I C T I N E T H E D O A D - R I T



Replying to @AgainstRallies

Ask them how much money they've put away to defend themselves in court! Did they earmark a large portion to go to lawyers like Rocco Galati? If they did, what was the retainer? It is very disappointing that Rocco filed vexatious lawsuit against some of us. Too late!

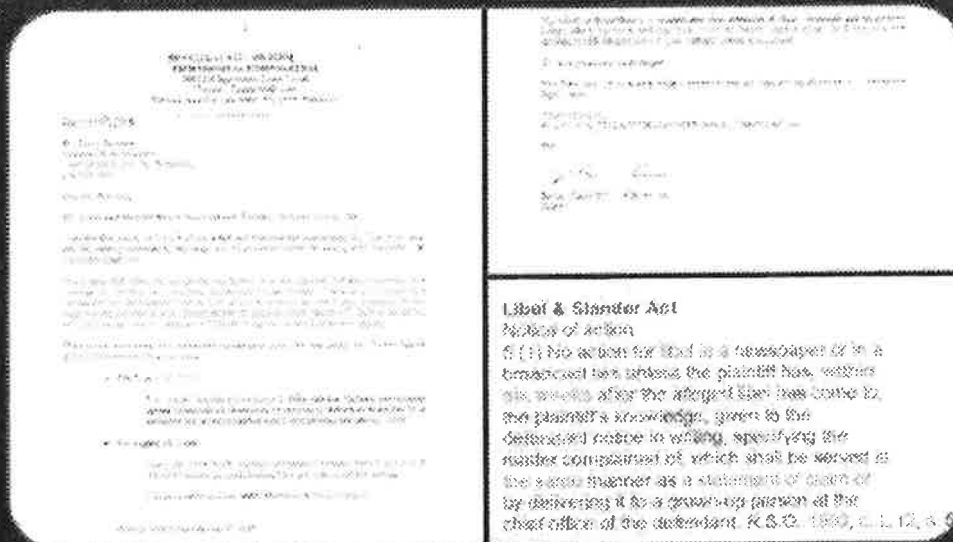


defendant notice in writing
matter complained of, which
the same manner as a sta
by delivering it to a grown-
chief office of the defendar

10:21 AM · Dec 30, 2020 · Twitter for iPad



Terry Polevoy, MD @Terr... · Nov 5
@LawSocietyLSO So, why did Rocco Galati send threatening letters to at least 9 Canadian physicians in October? Why did he include libelous, frivolous, and vexatious accusations on behalf of Dr. Kulvinder Gill? I think the LSO needs to examine his intentions!



Terry Polevoy, MD

Rocco Galati finally filed SOC lawsuit against the media, physicians and a law professor electronically on Dec.11, 2020. Libel and Slander lawsuits need to be filed within 6 weeks. It's way too late!

The image shows two pages of a legal document. The left page is a 'Notice of Motion' filed in the District Court of the United States for the District of Columbia. It is dated May 1, 1990, and is filed by the Plaintiff, John Doe, against the Defendant, Jane Smith. The motion is for summary judgment. The right page is the 'Libel & Slander Act' from the Revised Statutes of the United States, 18 U.S.C. § 1025. It defines libel and slander and provides for civil and criminal penalties.

1:22 PM · Dec 29, 2020 · Twitter for iPad



So, why is Rocco Galati threatening a lawsuit across Canada on behalf of Dr. Kulvinder Gill? Too little, too late!

Libel & Slander Act

Notice of action

5 (1) No action for libel in a broadcast lies unless the plaintiff brings the action within six weeks after the alleged defamatory publication, if the plaintiff, at the time of the publication, knew or ought to have known of the publication, or if the defendant, at the time of the publication, knew or ought to have known of the publication.



1



Terry Polevoy, MD

@TerryPolevoy

...

Replying to @TerryPolevoy @StefBlaisCPA and @roccogalatilaw

Finally filed electronically on Dec. 11, 2020. Libel and Slander action must be filed within 6 weeks. Too late.



Court File No./N° du dossier du greffe : CV-22-00683322-0000

ONTARIO

1. [Download the software](#)
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في القرآن الكريم

Dr. John A. Kline, Dr. John Adams, Dr. Edward G. McNelly, Col. Dr. Alex. Brown, Dr. Hays Johnson, Dr. Andrew J. Rice, Dr. George Foster, Thomas Crawford, Dr. John Taylor, Alfred P. Jones, Henry Adams, Dr. George Thompson, Dr. John Van Hook, Dr. Andrew B. Kelly, Dr. John Stimpson, Dr. Fred Jackson, George Sherman, S. J. Woods, Dr. Pauline, The "Lioness" of London, Nelson R. Allen, Lillian, and Michael, etc.

1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 26

NO. 111: 5157-5248

IF YOU WISH TO DEFEND THIS PROCEEDING, you are deemed to be acting, at your own expense, as the agent of defense in forms 58 presented by the Federal Civil Procedure, where there is no doubt as to who the plaintiff does not have a lawyer, then it is the plaintiff, and the defendant, and the court will not be able to hear the case without a lawyer. IF YOU ARE NOT A LAWYER, YOU WILL NOT BE ABLE TO DEFEND THIS PROCEEDING.

First, as if worship and things were good and true, you can say, "but as if the sacred objects are good and true, still, you must be the Master of the Universe." Then, with a little more, you have an image of things as they are, and the good-temperament of devotion.

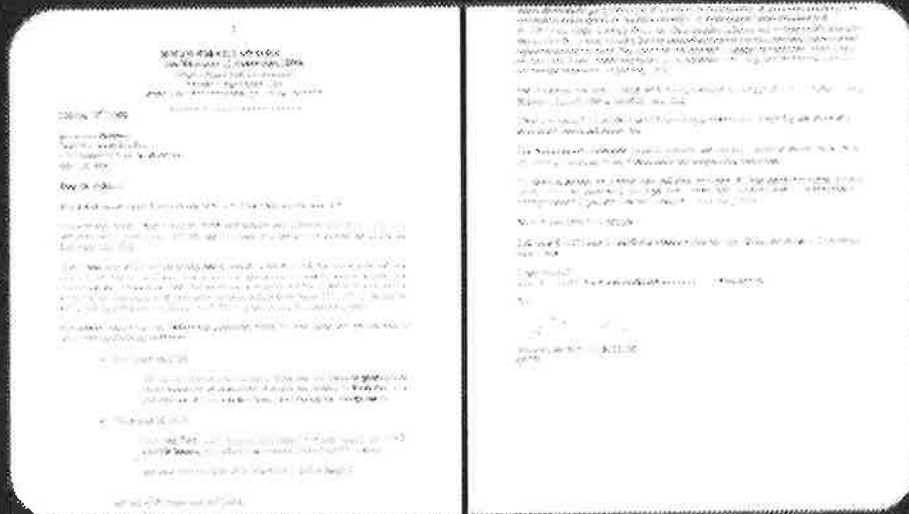
IF YOU FAIL TO DEFEND THIS PROCEEDING, A JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF

1:59 PM · Dec 29, 2020 · Twitter for iPhone



Terry Plevoy, MD @Te... · Oct 23
@KatieNicholson I think you might want to investigate the threat of a libel and defamation lawsuit launched by Dr. Kulvinder K Gill. Her lawyer, Rocco Galati, failed to notify me within the required 6

weeks as legally required. I am attaching
the threat. It was libelous to me!

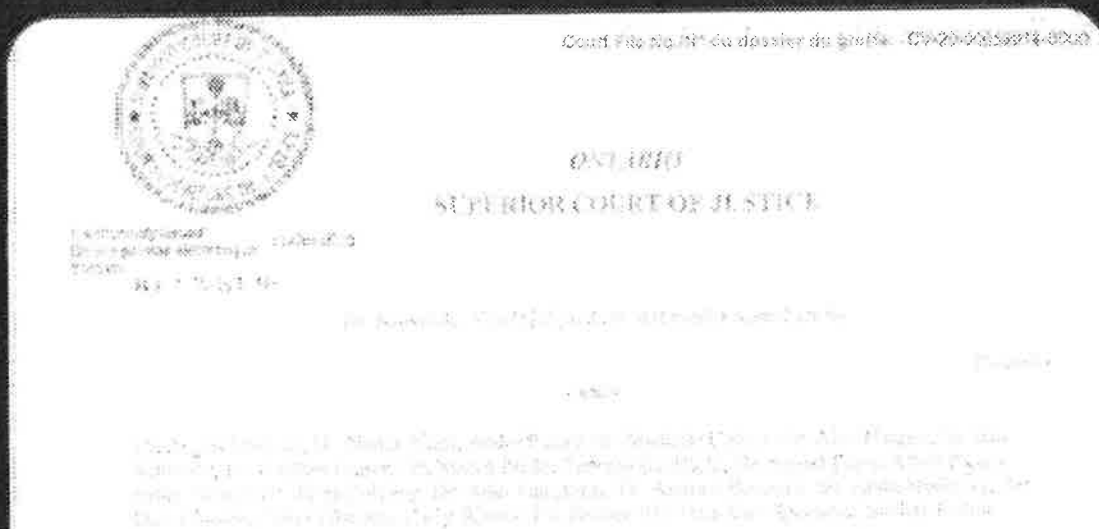


Terry Polevoy, MD
@TerryPolevoy

...

Replying to @TerryPolevoy

He filed it on Dec. 11, 2020. Way
too late!



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 must file a defence with the court. You must also file a statement of defence in Form 13A prescribed by the Rules of Civil Procedure, within 30 days of the date on which the plaintiff does not have to file a defence. If you do not file a defence within 30 days of the date on which the plaintiff does not have to file a defence, the plaintiff may be entitled to judgment by default.

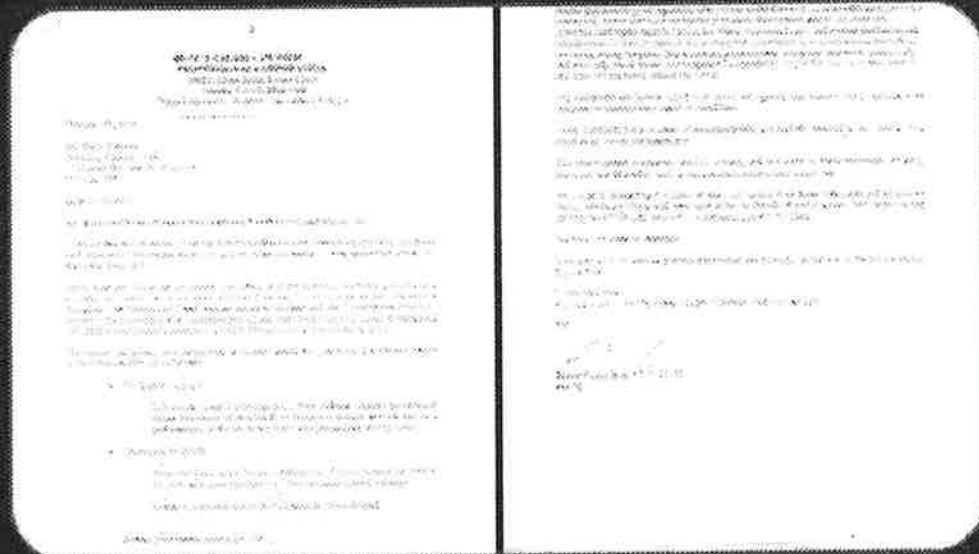
If you are served in another province or territory of Canada or in the United States of America, the plaintiff may be entitled to judgment by default. If you are served in another province or territory of Canada or in the United States of America, the plaintiff may be entitled to judgment by default.

Instead of serving and filing a statement of defence, you may serve and file a notice of motion to set aside the plaintiff's statement of claim. This is a notice to the court asking it to set aside the plaintiff's statement of claim.

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failed to notify me within the required 6 weeks as legally required. I am attaching the threat. It was libelous to me!



Terry Polevoy, MD
@TerryPolevoy

...

Replying to @TerryPolevoy

He filed it on Dec. 11, 2020. Way too late!

Court File No./N° du dossier du greffe : CV-22-00683322-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

Case No./N° : 22-00683322-0000
Date/Date : 11-Dec-2020
Toronto

By Kulvinder Kaur Gill, and by Adnanfar Kaur Luthra

Plaintiff

Defendant

I, Kulvinder Kaur Gill, do hereby certify that the above is a true and correct copy of the original document filed with the Court.

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL SUIT HAS BEEN COMMENCED AGAINST YOU by plaintiff.

IF YOU WISH TO DEFEND THIS PROCEEDING, you must file a Statement of Defence with the Court within the time specified by the Rules of the Court. If you fail to do so, the Court may make an order against you for costs and may grant judgment in favour of the plaintiff.

If you fail to defend this proceeding, a judgment may be given against you in your absence and without a trial.

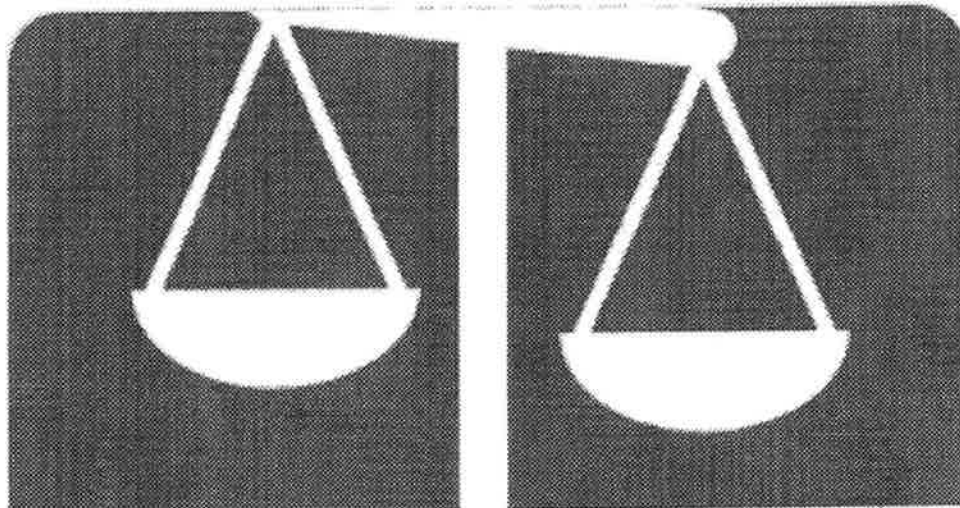
2:00 PM · Dec 29, 2020 · Twitter for iPhone

Like



Rocco Galati @roccogal... · Oct 27

Take a look at this web site. It documents the horrors and fall-out of the lockdowns.



The Price of Panic - Lockdowns Cost Lives

thepriceofpanic.com



27



518



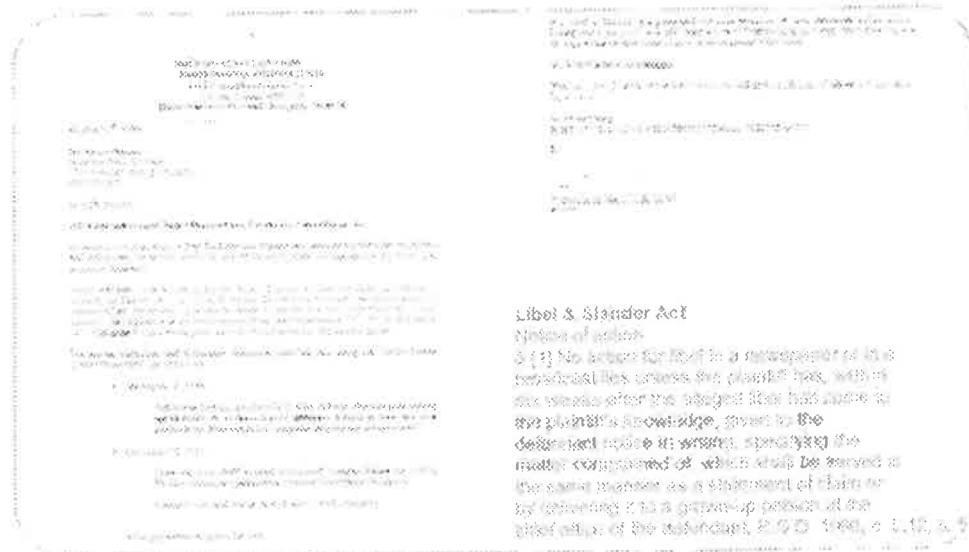
719



Terry Polevoy, MD @Te... · Oct 28

So Rocco, why did you threaten many Canadian doctors with a baseless, frivolous, vexatious, and libelous lawsuit

on behalf of Dr. Kulvinder Kaur Gill? May I remind you that your threatened actions will have consequences! Maybe you need to apologize to all of us!



Terry Polevoy, MD
@TerryPolevoy

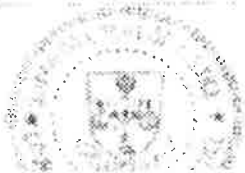
Replying to @TerryPolevoy and @roccogalati1aw

Hey Rocco Galati, the date and your signature on the bottom of the last page should have been

Libel & Slander Act
Notice of Action
 § 117 No action for libel in a newspaper or in a broadcast, nor unless the plaintiff has, within six weeks after the receipt of notice, come to the plaintiff's knowledge, given in the defendant notice in writing, specifying the matter complained of, which shall be served in the same manner as a statement of claim or by delivering it to a process server at the chief office of the defendant. R.S.O. 1990, c. L12, s. 5



Hey Rocco Galati, the date and your signature on the bottom of the last page should have been filed within 6 weeks. Sorry, but today is Dec 28, 2020. What took so long?



Cour File No. 14 du dossier de greffe: 07-20-0002013-2010

1. ☐ Yes, I am a member of the following organization:
 2. ☐ No, I am not a member of the following organization:
 3. ☐ Other

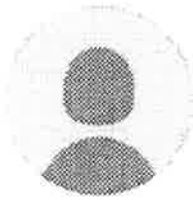
[illegible]

~~DO NOT REMOVE~~

IF YOU FAIL TO DEFEND THIS PROCEEDING A JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE, AND WITHOUT FURTHER NOTICE TO YOU. IF

MECHANICAL TESTS.





@elliotgilfoyle @elliotgilfoyle · 11h

What's the complaint? LOL



Terry Polevoy, MD

@TerryPolevoy

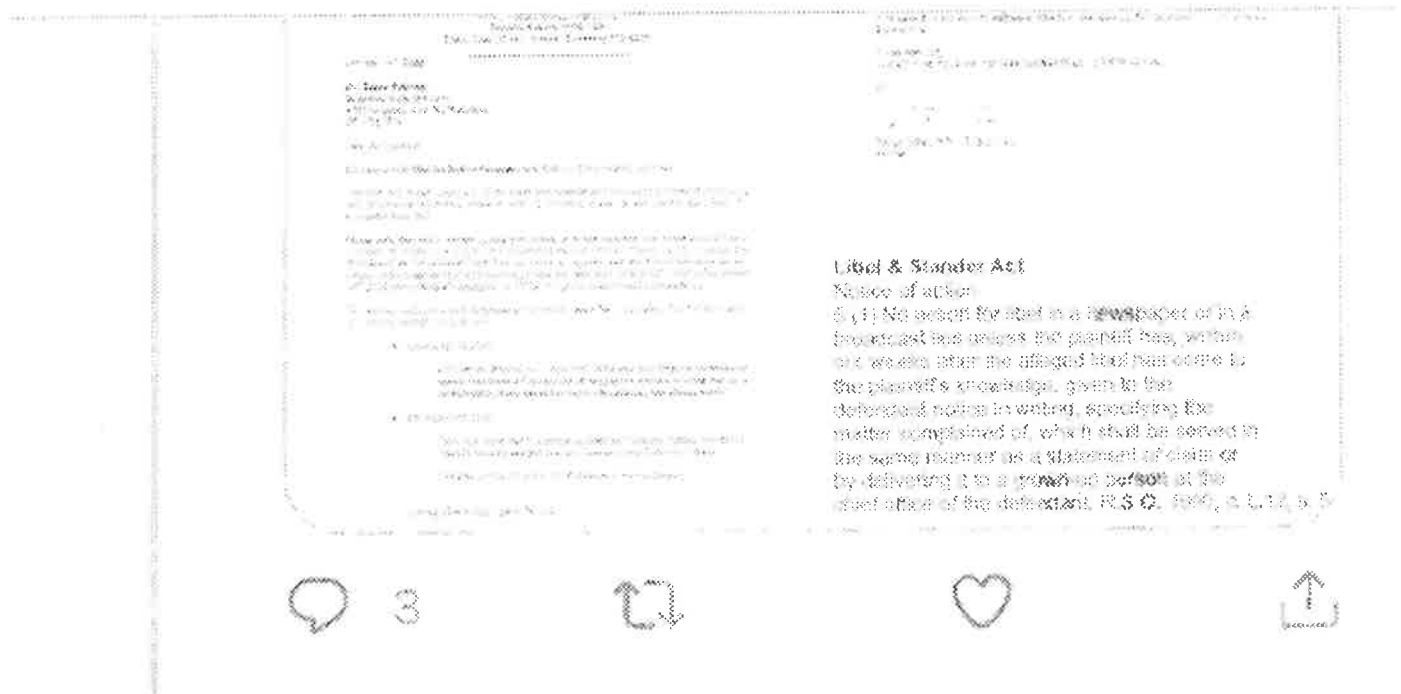
Replying to @elliotgilfoyle

Here is a link to the entire Kaur-SOC vexatious and frivolous lawsuit. It is now searchable. There is ZERO evidence of specific damages. There is an active LSO complaint against Galati. 2020-246780. Add to it if you want!



Kaur-SOC-Issued.pdf
dropbox.com

9:31 AM · 2020-12-29 · Twitter for iPhone



Terry Polevoy, MD
@TerryPolevoy

...

Replying to @TerryPolevoy and @roccogalatilaw

Hey Rocco Galati, the date and your signature on the bottom of the last page should have been filed within 6 weeks. Sorry, but today is Dec 28, 2020. What took

OSTRID
SUPERIOR COURT OF JUSTICE

Dr. Wolfgang Kuster, Prof. Dr. Andreas Kuntz

Discussion

REFERENCES

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the p-Office.
The charges against you are set out in the following page.

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, **430 KING STREET WEST** at the other statement of claim is served on you, if any, seven (7) days later.

Figure 1a is based on monthly population density of Chusquea in the United States and America for periods for nesting and fledging and movement of between 40 and 60 days. If these are all outside of a country and the United States of America, the period is sixty days.

Instead of accepting and filing a statement of defense, you may accept and file a notice of intent to dispute the Party's (B) presented by the Rules of Civil Procedure. This will notify you to the court day's within court to accept and file your statement of defense.

IF YOU FAIL TO DEFEND THIS PROCEEDING, A JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE, AND WITHOUT FURTHER NOTICE TO YOU. IF

12:34 AM · Dec 29, 2020 · Twitter web App



Terry Polevoy, MD

@TerryPolevoy

...

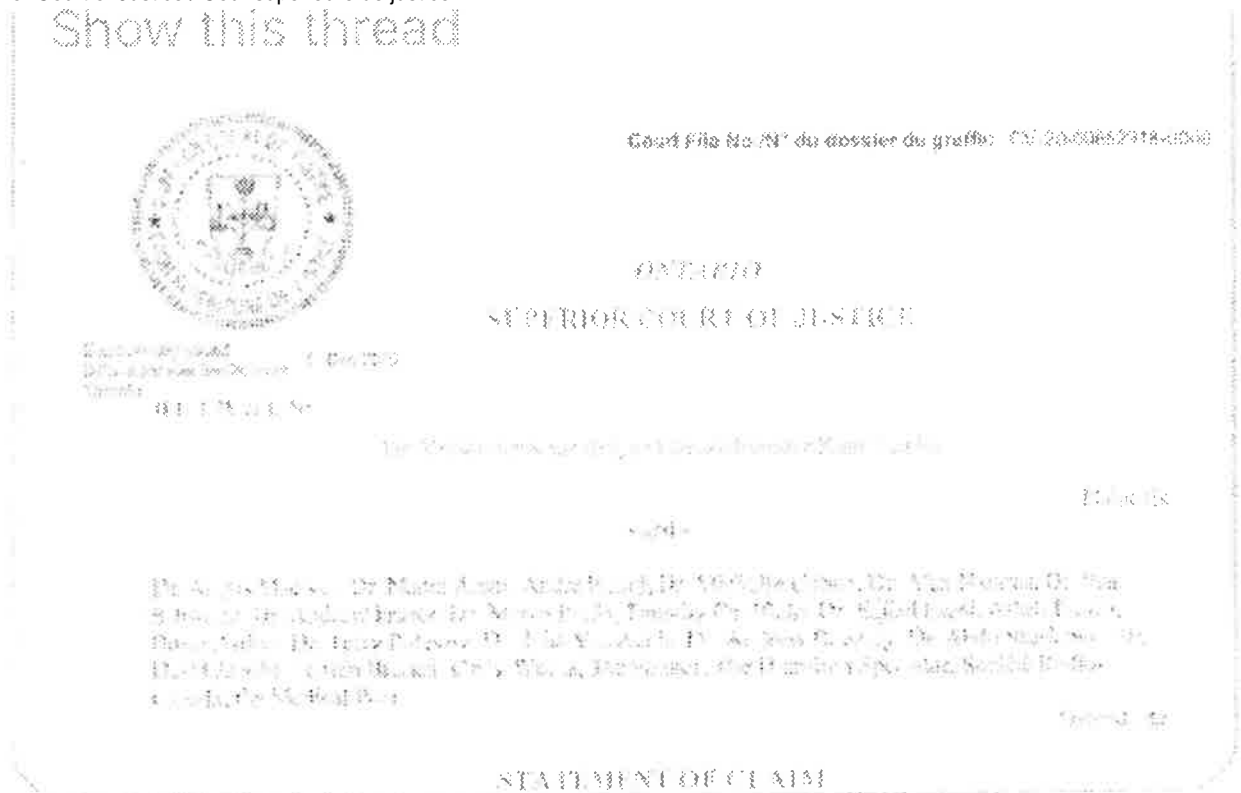
@LawSocietyLSO The allegations in this lawsuit filed by Rocco Galati are frivolous and vexatious. They were also filed way beyond the limits of the the Libel and Slander Act s.5 R.S.O. ,c. L.12, s.5(1). Also, 3 of the email addresses were wrong.



Terry Polevoy, MD @TerryPolevoy · 12h

Rocco Galati sent an email to me on Dec. 28, 2020 with a Statement of Claim (SOC) to the Superior Court of Justice on behalf of Drs. Kulvinder Kaur Gill and Dr. Ashvinder Kaur Lamba. Signed by him on Dec 9, 2020. Electronically filed on Dec 11, 2020. Too late for libel case!

Show this thread



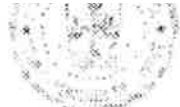
12:25 AM · Dec 29, 2020 · Twitter Web App



Terry Polevoy, MD
@TerryPolevoy

ooo

Rocco Galati sent an email to me on Dec. 28, 2020 with a Statement of Claim (SOC) to the Superior Court of Justice on behalf of Drs. Kulvinder Kaur Gill and Dr. Ashvinder Kaur Lamba. Signed by him on Dec 9, 2020. Electronically filed on Dec 11, 2020. Too late for libel case!


ONTARIO
SUPERIOR COURT OF JUSTICE

IN MATTER OF: **Kulvinder Kaur Gill, Plaintiff, v. Ashvinder Kaur Lamba, Defendant**

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU BY THE PLAINTIFF. IF YOU WISH TO DEFEND THIS PROCEEDING, you must file a Defence Statement with the Court within the time specified in the Rules of the Superior Court of Justice. If you fail to do so, the Court may make an order in favour of the Plaintiff. If you wish to dispute the Plaintiff's claim, you must file a Defence Statement with the Court within the time specified in the Rules of the Superior Court of Justice. If you fail to do so, the Court may make an order in favour of the Plaintiff. If you wish to dispute the Plaintiff's claim, you must file a Defence Statement with the Court within the time specified in the Rules of the Superior Court of Justice. If you fail to do so, the Court may make an order in favour of the Plaintiff.

IF YOU FAIL TO DEFEND THIS PROCEEDING, A JUDGMENT MAY BE GIVEN AGAINST YOU IN FAVOUR OF THE PLAINTIFF AND WITHOUT FURTHER NOTICE TO YOU.



Terry Polevoy, MD
@TerryPolevoy

Rocco Galati sent an email to me on Dec. 28, 2020 with a Statement of Claim (SOC) to the Superior Court of Justice on behalf of Drs. Kulvinder Kaur Gill and Dr. Ashvinder Kaur Lamba. Signed by him on Dec 9, 2020. Electronically filed on Dec 11, 2020. Too late for libel case!


ONTARIO
SUPERIOR COURT OF JUSTICE

IN MATTER OF: **Kulvinder Kaur Gill, Plaintiff, v. Ashvinder Kaur Lamba, Defendant**

STATEMENT OF CLAIM

STATEMENT OF CLAIM

STATEMENT OF CLAIM

1. The Plaintiff, Dr. Kulvinder Gill, MD, FRCPC, is a physician and a member of the Ontario Medical Association (OMA).

2. The Plaintiff is a member of the Ontario Medical Association (OMA) and is a member of the Ontario Medical Association (OMA).

3. The Plaintiff is a member of the Ontario Medical Association (OMA) and is a member of the Ontario Medical Association (OMA).

4. The Plaintiff is a member of the Ontario Medical Association (OMA) and is a member of the Ontario Medical Association (OMA).

5. The Plaintiff is a member of the Ontario Medical Association (OMA) and is a member of the Ontario Medical Association (OMA).

6. The Plaintiff is a member of the Ontario Medical Association (OMA) and is a member of the Ontario Medical Association (OMA).

12:09 AM · Dec 29, 2020 · Twitter Web App

2 Retweets 1 Quote Tweet 4 Likes



Terry Polevoy, MD @TerryPolevoy 12h

Replying to @TerryPolevoy

Dr. Kulvinder Gill, MD, FRCPC
President - Concerned Ontario Doctors
Twitter: @dockaurG

Attachments:

untitled-[1.1]

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Law Society
of Ontario

Barreau
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393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Lindsay H.
Case No.: 2020-245374

The Law Society has completed its review of the complaint received from Lindsay H., by the Intake & Resolution Department on September 9, 2020 and the additional materials you provided.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to the complainant.

Complaints Resolution Commissioner

The complainant has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>. The Law Society will inform you in writing if the complainant requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 2 pages



Law Society
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393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to lglass.glassl@gmail.com

Lindsay H.
lglass.glassl@gmail.com

Dear Madam:

Re: Subject: Rocco Galati
Complainant: Lindsay H.
Case No.: 2020-245374

I am writing to follow-up on your complaint noted above. You contacted the Law Society about Rocco Galati, your complaint was received by Intake & Resolution on September 9, 2020 and I was assigned to consider it.

I have completed my review of all the information you have provided in support of your complaint. For the reasons explained below, the Law Society will not be investigating your complaint further.

Reasons for Outcome

Background

Mr. Galati is a lawyer licensed with the Law Society. You have raised concerns regarding statements made by Mr. Galati on his professional Twitter feed. You are a member of the public who is not represented by Mr. Galati.

Regulatory Issues Considered

1. Whether Mr. Galati offered legal services that are false or misleading or bring the administration of justice into disrepute
2. Whether Mr. Galati made public statements and/or appearances in a manner that infringed on his obligations to the administration of justice

Explanation

On July 13, 2020, Mr. Galati posted a statement on his professional Twitter feed as follows:

Lots calling for masking advice. Don't call. If refused entry, or service, EVEN AFTER you provide a medical note (which you are NOT required to do), or you state that

you are exempt, then make a complaint to your Provincial Human Rights Commission and ask for monetary damages.

In addition to this statement, you also reference statements relating to masking and/or other COVID-19 protocols, made by Mr. Galati on his Twitter feed. You raise the concern that Mr. Galati's statements are "disturbing" and "dangerous" to the public.

I have raised these concerns with Mr. Galati, who is taking the position that he considers the post to be an informative summary of the law on masking in Ontario and asserts that his statement is in furtherance of the administration of justice.

I have also reviewed and considered other statements Mr. Galati made on his Twitter feed about masking and other COVID-19 protocols. Mr. Galati appears to be expressing a political opinion about the government's response to the pandemic, a matter of considerable public debate.

In responding to a complaint, the Law Society must respect Mr. Galati's right to express his views. In this case, while the Law Society does not condone Mr. Galati's statements, the evidence does not suggest that when he made them, he was spreading false or misleading legal advice or that he did not encourage respect for the administration of justice.

Outcome

In order to conduct further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that Rocco Galati may have engaged in professional misconduct. The information provided does not meet this test and as a result, the Law Society will not take any further action in response to your complaint.

Complaints Resolution Commissioner


You may request a review by the Complaints Resolution Commissioner of the Law Society's consideration of your complaint or the outcome. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

A request for review must be made to the Office of the Complaints Resolution Commissioner within 60 days of the date of this letter.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca
cc: Mr. Galati

This is Exhibit “” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023



A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



Law Society
of Ontario

Barreau
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393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Terry Polevoy
Case No.: 2020-246780

The Law Society has completed its review of the complaint received from Terry Polevoy, by the Intake & Resolution Department on October 27, 2020.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to Dr. Polevoy.

Complaints Resolution Commissioner

Dr. Polevoy has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

The Law Society will inform you in writing if Dr. Polevoy requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar

Intake & Resolution Counsel

Telephone: (416) 947-3300, ext. 2098

Facsimile: (416) 947-3382

Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 3 pages



**Law Society
of Ontario**

**Barreau
de l'Ontario**

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to drpolevoy@yahoo.com

Terry Polevoy
170 University Ave W
Waterloo, ON N2L 3E9

Dear Dr. Polevoy:

Re: Subject: Rocco Galati
Complainant: Terry Polevoy
Case No.: 2020-246780

I am writing to follow-up on your complaint noted above. You contacted the Law Society about Rocco Galati, your complaint was received by Intake & Resolution on October 27, 2020 and I was assigned to consider it.

I have completed my review of all the information you have provided in support of your complaint. For the reasons explained below, the Law Society will not be investigating your complaint further.

Reasons for Outcome

Background

Mr. Galati represents an opposing party in a claim made against you under the *Libel and Slander Act*.

Regulatory Issues Considered

1. Whether Mr. Galati made public statements and/or appearances in a manner that infringed on his obligations to the administration of justice

Explanation

You have raised concerns about Mr. Galati's social media appearances and his criticism of the government's response to controlling the COVID-19 pandemic. In addition to your initial complaint, you sent a series of emails and/or other messages complaining of Mr. Galati's social media appearances, statements and/or involvement with groups relating to masking, vaccination or other pandemic related protocols. You raise the concern that Mr. Galati's conduct is "dangerous" to the public.

Based on my review of the evidence, Mr. Galati's statements, appearances or general involvement in pandemic related protocols conduct can be characterized as an expression of his own views about a current political matter of considerable public debate.

In responding to a complaint, the Law Society must respect Mr. Galati's right to express himself and take only such action as is necessary to address any conduct of concern. In this case, while the Law Society does not condone Mr. Galati's actions, the evidence does not suggest that Mr. Galati's conduct amounts to an infringement of his obligations to the administration of justice.

Outcome

In order to conduct further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that Rocco Galati may have engaged in professional misconduct. The information provided does not meet this test and as a result, the Law Society will not take any further action in response to your complaint.

Other Issues

Your initial concern involved whether Mr. Galati and/or his client was complaint with the *Libel and Slander Act* when sending you the Notice pursuant to the same legislation. This is an issue that does not fall within the Law Society's mandate. The Law Society has the mandate to consider a licensee's professional conduct, which includes issues such as honesty or ethics. The Law Society does not address every issue about a lawyer or paralegal. Sometimes, other authorities such as the Courts or tribunals are better able to respond to the issues that you raise.

The Law Society does not have the authority to assess and determine whether a licensee is compliant with the *Libel and Slander Act*. The court is better able to determine whether there has been non-compliance in this regard.

For your convenience, I have attached a Fact Sheet with additional information about these resources and processes.

Complaints Resolution Commissioner

You may request a review by the Complaints Resolution Commissioner of the Law Society's consideration of your complaint or the outcome. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

A request for review must be made to the Office of the Complaints Resolution Commissioner within 60 days of the date of this letter.

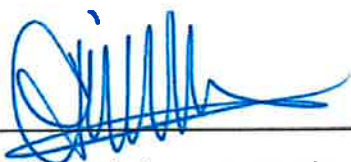
Yours truly,

A handwritten signature in black ink, appearing to read 'S. Nassar', with a stylized, cursive script.

Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

cc: Mr. Galati

This is Exhibit “^{RR}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023



A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



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of Ontario

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393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 22, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Elana Goldfried
Case No.: 2020-248513

The Law Society has completed its review of the Complaint Form received from Elana Goldfried, by the Intake & Resolution Department on December 18, 2020.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to Ms. Goldfried.

Complaints Resolution Commissioner

Ms. Goldfried has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

The Law Society will inform you in writing if Ms. Goldfried requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 2 pages



Law Society
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393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 22, 2021

Private & Confidential

Sent by email only to elanagoldfried@gmail.com

Elana Goldfried
107-470 Mortimer Ave
Toronto, ON M4J 2G5

Dear Ms. Goldfried:

Re: Subject: Rocco Galati
Complainant: Elana Goldfried
Case No.: 2020-248513

Thank you for speaking with me on January 25, 2021. You made a complaint against Rocco Galati that was assigned to me for review on December 18, 2020.

I have completed my review of all the information you have provided in support of your complaint. As I will explain in greater detail below, the Law Society has closed your file and will not take any further action to investigate this complaint.

Reasons for Outcome

Background

Mr. Galati is a lawyer licensed in Ontario. You are not represented by or involved in any legal matter involving Mr. Galati.

Regulatory Issues Considered

1. Whether Mr. Galati is acting without integrity by having standard court forms for sale on his professional website.

Explanation

You raise the concern that Mr. Galati is selling court filing templates on his website, <https://www.constitutionalrightscentre.ca>, for use in Small Claims Court with respect to people suing businesses and/or by-law officers regarding COVID-19 masking rules and exemptions. You are concerned that these templates are "clearly the standard forms available through Ontario Court forms" which are available for free online and that he is taking advantage of the public by charging for standard forms.

In our conversation noted above, you agreed that if the templates were found to be pre-populated precedents that offered advice and suggestions on how to address specific issues relating to the failure to adhere to masking exemptions that this would not be of any concern.

Based on my review of Mr. Galati's website, it appears that he is providing more than the standard court forms that are made available for free online. As such, the evidence is not sufficient to suggest that Mr. Galati has failed to comply with the rules and responsibilities set out in *Rules of Professional Conduct* and/or By-Laws so as to warrant further scrutiny from the Law Society in this regard.

Outcome

In order to conduct further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that Rocco Galati may have engaged in professional misconduct. The information provided does not meet this test and as a result, the Law Society will not take any further action in response to your complaint.

Complaints Resolution Commissioner

You may request a review by the Complaints Resolution Commissioner of the Law Society's consideration of your complaint or the outcome. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

A request for review must be made to the Office of the Complaints Resolution Commissioner within 60 days of the date of this letter.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

cc: Mr. Galati



Law Society
of Ontario

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Intake & Resolution
Professional Regulation

February 22, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Elana Goldfried
Case No.: 2020-248513

The Law Society has completed its review of the Complaint Form received from Elana Goldfried, by the Intake & Resolution Department on December 18, 2020.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to Ms. Goldfried.

Complaints Resolution Commissioner

Ms. Goldfried has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

The Law Society will inform you in writing if Ms. Goldfried requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 2 pages



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 22, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Elana Goldfried
Case No.: 2020-248513

The Law Society has completed its review of the Complaint Form received from Elana Goldfried, by the Intake & Resolution Department on December 18, 2020.

In order to conduct a further investigation, s. 49.3(2) of the *Law Society Act* requires a reasonable suspicion that you may have engaged in professional misconduct/conduct unbecoming.

Based on my review of the information received in this case, I have concluded that the appropriate regulatory response is to close this file because no further investigation is warranted in this matter. This file has therefore been closed.

I am enclosing a copy of the outcome letter sent to Ms. Goldfried.

Complaints Resolution Commissioner

Ms. Goldfried has the right to request a review by the Complaints Resolution Commissioner of the decision to close this file. Additional information about this process can be found at <https://lso.ca/protecting-the-public/complaints/complaints-resolution-commissioner>.

The Law Society will inform you in writing if Ms. Goldfried requests a review by the Complaints Resolution Commissioner.

Yours truly,



Samantha Nassar

Intake & Resolution Counsel

Telephone: (416) 947-3300, ext. 2098

Facsimile: (416) 947-3382

Email: snassar@lso.ca

Encl.

1. Outcome letter to the Complainant – 2 pages



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Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to sam@maddalenafuller.com

Samantha Theresa Coomara
Barrister & Solicitor
277 Atlas Ave
York, ON M6C 3P8

Dear Ms. Coomara:

Re: Subject: Samantha Theresa Coomara
Complainant: Alexandra Moore
Case No.: 2021-248872

On January 6, 2021, the Intake & Resolution Department of the Professional Regulation Division received a complaint from Alexandra Moore.

Please find enclosed for your reference, a copy of my response to Ms. Moore. You will note that I have closed the case.

I do not require a response from you, as the Law Society does not intend to pursue the matter further at this time.

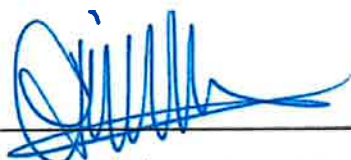
Yours truly,

A handwritten signature in black ink, appearing to read 'S. Nassar'.

Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Encl.

This is Exhibit “**SS**” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

On January 6, 2021, the Intake & Resolution Department of the Professional Regulation Division received a complaint from Alexandra Moore.

Please find enclosed for your reference, a copy of my response to Ms. Moore. You will note that I have closed the case.

I do not require a response from you, as the Law Society does not intend to pursue the matter further at this time.

Yours truly,

A handwritten signature in black ink, appearing to read 'S. Nassar'.

Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Facsimile: (416) 947-3382
Email: snassar@lso.ca

Encl.



Law Society
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393 University
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Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 18, 2021

Private & Confidential

Sent by email only to a.1689.1871@gmail.com

Alexandra Moore
a.1689.1871@gmail.com

Dear Ms. Moore:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

I am writing to follow-up on the complaint noted above as I had indicated to you. You contacted the Law Society about Rocco Galati, your complaint was received by Intake & Resolution on January 6, 2021 and I was assigned to consider it.

I have completed my review of all of the materials you provided to support your complaint. For the reasons explained below, the Law Society will not be investigating your complaint further.

Reasons for Outcome

Background

Mr. Galati is a lawyer licensed by the Law Society. He is the opposing party in a claim made against you under the *Libel and Slander Act*. He is represented by another lawyer on his claim.

Issues Raised in Your Complaint

1. Whether Mr. Galati has “threatened” you by having his lawyer send you a demand letter
2. Whether the demand letter sent on Mr. Galati’s behalf has made false accusations against you

Explanation

You raised the concern that Mr. Galati has sent you a “threatening” letter through his legal counsel in response to you publishing a story about him on your website,

<https://www.canucklaw.ca>. You also state that Mr. Galati's demand letter is "bullying" and includes "repeated false accusations" against you.

The issues you have raised are legal issues for which the Law Society cannot intervene. Specifically, the use of a demand letter is a legitimate step in the civil legal process where one party is threatening legal action if certain steps are not taken. Whether the demand letter is appropriately advanced cannot be determined by the Law Society but is for the court to determine. Similarly, whether Mr. Galati has advanced statements that are "false" within the demand letter also cannot be considered by the Law Society. As the Law Society cannot interfere or give legal advice on such matters, you may wish to speak with a lawyer in this regard.

Law Society Referral Service

If you require legal advice, legal opinions, or legal services, you may wish to consult with an Ontario lawyer or paralegal about any rights and remedies that may be available to you. The Law Society cannot provide you with legal advice. Some legal services can be provided by either a lawyer or a paralegal but in some situations, you must use a lawyer.

If you would like to be referred to a licensed Ontario lawyer or paralegal, you can submit a request to the Law Society Referral Service by completing the request form on our website at <https://lsrs.lso.ca/lsrs/welcome>.

The Law Society Referral Service (LSRS) is designed to connect users with a lawyer or paralegal for a free initial consultation of up to 30 minutes, either by phone or in person. You can find more information about the LSRS at lso.ca/public-resources/finding-a-lawyer-or-paralegal/law-society-referral-service.

Outcome

For the reasons set out above, the Law Society will not be taking further action in response to your complaint.

Yours truly,



Samantha Nassar
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2098
Email: snassar@lso.ca

cc: Mr. Galati

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

September 11, 2021

Miko Dubiansky
Law Society of Ontario
393 University Avenue, Suite 1100 Toronto
M5G 1E6

VIA EMAIL: mdubians@lso.ca

Dear Mr. Dubiansky,

RE: Complainant: Alexandra Moore; Case No.: 2021-248873

You have asked me to answer Mr. Moore's "further" complaint.

Ms. Nasser has dismissed two complaints by Ms. Moore: one against me, and one against my legal counsel with respect to a s.5 *Libel and Slander Act* Notice I served Ms. Moore as a result of a vile and vicious video and text blog Ms. Moore wrote and published, through her website, "Canuck Law".

In my tweet, I was responding to Ms. Moore's second libelous expose where she was lying by stating that the Constitutional Rights Centre and I were selling "blank forms" which one could get for free on the Small Claims Court website.

I had others email and phone me to alert me to Ms. Moore's tweet. My response speaks for itself.

With respect to the "inappropriate language", whether language is appropriate or not necessary is always contextual. Clearly, with respect to the "forms" she misleads and lies. I am not going to address that as it is self-evident. As a result of the hostile, threatening emails and calls I got, as a result of Moore's tweet, I eventually took down the template.

I attach a copy of a statement of claim, issued in Ontario Superior Court, which outlines the full history of Ms. Moore's (and Canuck Law's) inexplicable targeting of me and my work (clientele).

I demand you read it **carefully**.

With respect to “moronic troll”, Ms. Moore has hounded me for a while with vile, filthy, and baseless allegations claiming that I am, amongst other things:

- (a) A mobster;
- (b) “scum”;
- (c) A terrorist;
- (d) An elite Jew who is part of the “Cabal” that controls the world;
- (e) A fraud;
- (f) Not a “real Canadian” because I am merely a foreigner meddling in strictly Canadian affairs;
- (g) Controlled opposition in line with Karl Marx, Trotsky, and Hitler;
- (h) That I intentionally lose and mis-plead my cases.

Ms. Moore, through her website, has published against me the vilest, anti-semitic, racist, and derogatory filth.

Once you have read the statement of claim, you will have to agree that my reference to her as a “moronic troll” is the most genteel, bleached, diplomatic, kindest, compliment I could pay her in describing what she is and does. The reference to “misleads” and “lying” are true, accurate, and also a kind description of what she does.

I have never met Ms. Moore. I have never, prior to this filth, reached out to her. I have not reached out since, except through counsel to issue s.5 Libel notices and the statement of claim. She has never reached out to me, nor has anyone at Canuck Law. I do not know, nor can I fathom, why I, and my clients, need to be the target of her vile, anti-Semitic, racist, and derogatory obsessions.

In addition to filing this claim, I am drafting a criminal complaint to forward to the RCMP in British Columbia, where she is apparently based, to pursue charges under the following *Criminal Code* charges:

- (a) Criminal harassment – s. 264(2)(b);
- (b) Defamatory libel known to be false – s.300; and
- (c) Conveying false information with intent to alarm – s.372(1)

The other thing I cannot fathom is the Law Society of Ontario’s approach and conduct in forwarding this to me for response at all. Ms. Nassar was on the previous Moore complaints. There seems to have been absolutely no minimal review of them, nor Ms. Moore’s website, to glean what Canuck Law and Ms. Moore are about with respect to me and my clients.

In my last correspondence, on a similarly outrageous complaint, by an outrageous individual, with respect to an attempt to censor my speech, I indicated that the next time I received one of these, I would commence action against the LSO, in the absence of an apology.

If I do not receive an apology from the LSO on this “complaint”, which should not even have reached me, if the minimum of research was done on Ms. Moore and her website, I will

commence action against the LSO for negligent investigation and the newly-created tort of (online) harassment because ,it seems to me ,that the LSO is more than content and willing to be dupe and conduit for Ms. Moore's and Canuck Law's filth, anti-Semitic, racists, and derogatory harassment of me and my clients.

Yours very truly,
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION
Per:

A handwritten signature in black ink, appearing to read 'R. Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B, LL.M.
RG*sc

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

December 30th, 2020

VIA EMAIL AND REGULAR MAIL

Samantha Nassar
Intake & Resolution Counsel
Law Society of Ontario
393 University Avenue
Suite 1100
Toronto, Ontario
M5G 1E6
snassar@lso.ca

Re: Complaint Against Rocco Galati by Lindsay H.; Case No.: 2020-245374

This is my Reply to the individual public “complaint” of Ms. Lindsay H. and your letter dated December 17th, 2020.

In a follow-up email, with respect to Rule 4.1-2, you clarified that I need to address Rule 4.1-2(1)(a) and (d) of that Rule with respect to the referenced statement in your letter.

While the letter does not provide a hint as to how the statement could in any way raise *any* issue(s) of being “false or misleading”, or “otherwise bring the administration of justice into disrepute”, I will respond as best as I can.

In fact, a modicum of research would have revealed that the statement is a distilled, informational summary of the law in Ontario, and elsewhere.

Would you please elucidate how the statement, on its face, raises any issue of “false misleading statements” or “otherwise brings the administration of justice into disrepute”? Since your letter does not do so, I can only surmise that it is a disconcerting assumption.

- **The emails of “Lindsay H” attached to “complaint”.**

I do not know Lindsay H. I have never spoken to her or had any contact or communication with her. She has never been my client. Your letter attaches her emails as “letters of complaint for my review”. However, I am at a loss as to how I am supposed to respond to the emails with respect to the *Rules*.

Her attached emails are incoherent and replete with errors, unfounded assumptions, spurious claims and troublesome allegations for the following reasons:

- (a) I have **never, nor do I now**, represent(ed) Christopher Saccoccia, whom she describes, as “an emotionally unstable and dangerous anti mask conspiracy theorist”;
- (b) How does her personal opinion and claim regarding Mr. Saccoccia concern me? How can she falsely claim that I represent Mr. Saccoccia without the intake process vetting it? And how can it then be forwarded to me for serious consideration and timely response?
- (c) Furthermore, the appallingly iniquitous claim that I, as an advocate, executing my professional duties to my client and members of the public am “a threat to the public”, is a preposterous allegation to put forward to me for response. Threats to the public are matters for police investigation. They must not be made lightly, and must not be pandered to by professional regulatory bodies.

How could these incomprehensible and hateful emails be deemed a “complaint”? And then, how could this “complaint” have been forwarded to me without consideration of the above and the impact it would have on: 1) me as a member, 2) my execution of my professional obligations and oaths, and 3) my family, due to the stressors? This “complaint”, intentionally or unintentionally, serves only to support and strengthen irate individuals of society, at large, *to intimidate lawyers* who represent clients and do cases they personally “dislike” or “disagree” with, *and to threaten them* with disciplinary action for doing so. Clearly the “complainant” seeks to see me disbarred or disciplined because she disagrees or dislikes my “client” and/or their “claims”. Given this, and with all due respect, the LSO should be weary of such attempts and not allow itself to be used as a rubber stamp for baseless, egregious and malicious insults to be hurled at lawyers who take carriage of matters that individual members of society may have personal, political, sociological or philosophical objections to.

In fact, it is shocking that this email “complaint” has reached the point that I am required to respond to unchecked facts, and, insulting attacks on my person and profession. The untrue “facts” and disparaging personal comments are then used as the basis of Professional Misconduct allegations. Nevertheless, I respond as follows, as you require.

Lawsuits against the COVID-19 measures **have** been filed in Canada, in the USA, in England, in Portugal, in Austria, in Romania, and many other jurisdictions. Many have been argued successfully. So what? Why is it beyond belief that an individual or organization would challenge forced vaccination when the Supreme Court of Canada and Appellate Courts have ruled that **no** medical treatment can be administered without informed, voluntary consent, because, to do so, violates s.7 of the *Charter*? At the end of the day, whether or not a properly filed legal claim is frivolous or vexatious is for the Courts to determine, not an irate individual via a professional regulatory body. It is the LSO’s duty to ensure and

maintain access to justice for individuals who seek to file legal claims for our judiciary to adjudicate, and also to respect the independence and mechanisms of our legal system, regardless of how unsavoury an individual may consider the *lis*. It is not the function of the LSO to have the Professional Regulation process be misused to abuse lawyers doing cases individual members of the public personally dislike.

In her follow up email, of September 11, 2020, "Lindsay H" purports to be speaking "on behalf of many concerned citizens". Unintelligible and malevolent accusations are made against me personally as a lawyer acting for litigants challenging the legal authority and jurisdiction of the government measures regarding the COVID pandemic. She reviles me of being a "COVID-19 denier" and "conspiracy theorist". I do not know what these terms mean, but, in its tone and content, this constitutes "hate mail".

I do **not** make posts on Facebook. I am **not** on Facebook nor have a Facebook account. This is another false assertion.

She then contemptuously accuses me of "making more people get sick and die" and that "I mock these deaths and treats them as irrelevant". How can I be expected to respond to this? It is just more hate mongering and constitutes "hate mail". I have never mocked anyone's death. These are nothing more than disdainful comments and constitute "hate mail".

She further writes and accuses that, I "encourage anti-maskers". My only response to this is that I do not know what "anti-masker" means. Citizens, under the law have a **right** to not wear a mask if they are exempt under the masking law, as set out below.

"Lindsay H" does not set out what medical and scientific expertise she has, or consulted, to make her cosmic, enveloping conclusions with respect to the science, medicine, law, and how my duties as a lawyer are "making people sick and killing them". Your letter does not state whether the LSO made any efforts to ascertain this before forwarding the "complaint"/ hate-mail to me.

- **"My Statement"**

My statement that you cite arose out of the fact that I was getting inundated with phone-calls and emails (between 1,500 -1,700) from people who had medical conditions exempting them from the requirement to wear a mask but, whose legal exemption was not being respected and complied with, by business owners, who were acting in contravention of the law. These individuals, virtually all, asked what the simplest, least costly avenue of redress would be, short of hiring a lawyer, and going through the inordinate legal expenses of enforcing their right.

My statement is an informative summary of what the law of masking is in Ontario, and elsewhere, and duplicated by various municipalities, including Toronto.

Section 2 of **Regulation 546/20** requires masking indoors **unless** the person is exempt under s.2(4) under various circumstances, wherein the pertinent provisions read:

2(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that

is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area ***unless the person in the indoor area,***

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...
- (g) ***has a medical condition that inhibits their ability to wear a mask or face covering;***
- (h) is unable to put on or remove their mask or face covering without the assistance of another person:
- (i) needs to temporarily remove their mask or face covering while in the indoor area,
 - (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) ***is being reasonably accommodated in accordance with the Human Rights Code;*** or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

- Ontario Regulation 546/20, pursuant to The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020, at paragraph 2(4)

Section 2(6) of **Regulation 546/20** further states:

(6) For greater certainty, it is ***not necessary for a person to present evidence*** to the person responsible for a business or place that they are entitled ***to any of the exceptions set out in subsection (4).***

- Ontario Regulation 546/20, pursuant to The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020, at paragraph 2(6).

In addition, denial of entry, based on a medical condition, contravenes s.1 of the *Ontario Human Rights Code* as discrimination based on a disability, which sections reads:

Services

1 Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status **or disability**. R.S.O. 1990, c. H.19, s. 1; 1999, c. 6, s. 28 (1); 2001, c. 32, s. 27 (1); 2005, c. 5, s. 32 (1); 2012, c. 7, s. 1.

- *Human Rights Code, R.S.O. 1990, c. H.19*, at s.1.

In light of the above, my statement is not, and could not be, “false”, “misleading” or “otherwise bring the administration of justice into disrepute”. I await your articulated rationale for accepting Lindsay H.’s hate mail and legitimizing it in the form of a “complaint” for me to be required to respond under threat of investigation. It is respectfully submitted that Intake and Resolutions should not be so vulnerable to the temperaments and whims of random members of the public, who opine that a lawyer must not do her or his job to uphold the rule of law and defend clients, if it does not align with their own personal opinions, likes or dislikes.

With respect, what *is* “false”, “misleading” and “brings the administration of justice into disrepute” is Lindsay H.’s “hate mail” emails and the requirement that I respond formally under threat of investigation/sanction.

It is obvious from “my statement”, read together with ten minutes of analysis and research, that it is neither “false”, “misleading”, nor “brings the administration of justice into disrepute”. Therefore, the *Rules* in 4. 1-2 are not engaged by my statement.

• Rule 5.6-1

My statement does not engage Rule 5.6 (1) of the *Rules*. On the contrary, I have spent my entire career (over 31 years) trying to improve the administration of justice and encourage public respect for it and the Rule of Law. My practice consists of litigating the most difficult of cases, often successfully. These are often perceived or labelled as “controversial cases” where individual and random members of the public having erratic and vile reactions against **me** personally for simply doing my duty as a constitutional lawyer, practising according to my oath.

In practising law, in a manner that upholds Rule 5.6-1, I have, regrettably, been the recipient of hate mail and subject to personal attacks and threats to my safety and my life. This is not a new phenomenon for me. When I represented clients charged pursuant to the Security Certificate provisions of *IRPA* and/or the Terrorism provisions of the *Criminal Code* I was virulently and invidiously slandered as a “terrorist lawyer”, a “terrorist sympathizer” and even as a “terrorist” by random individual members of the public. That I “put the right of terrorists over citizens” and that I “defend citizenship of terrorists” are other examples. Those who attacked me believed in the global “war on terrorism” and that I was not entitled, as an advocate, to criticize or challenge the government’s law in my statements or pleadings on behalf of my clients. These individuals alleged that by representing my clients, and making statements regarding the racism and racial profiling my clients were subjected to as Arabs and/or Muslims, by security services, in this country and elsewhere, that I was “a threat to the public” and the “security” of Canada.

Often the hate-mail directed against me, sometimes disguised and cloaked as a “complaint”, were coloured with racial bias and prejudice, and ethnic stereotyping, not only against my racial minority clients, but also against me as their ethnic minority lawyer. This is graphically illustrated by the institutional death threat I received while representing a Canadian citizen who was detained at Guantanamo Bay on allegations of “terrorism”, wherein the “anonymous” caller demanded I cease representing “terrorists, or you a dead WOP!”

Revealingly, my non-ethnic and non-racial minority colleagues in the Bar, who also advocated on behalf of “terrorists suspects” and with whom I am well acquainted, did *not* receive the same barrage of hate mail or threats. This is not surprising given that many Royal Commissions, the SCC and the LSO have acknowledged the existence of racial and ethnic bias in the justice system and the legal profession. Racial and ethnic minority lawyers are disproportionately targeted for harsher treatment and unbridled harassment. They face discrimination within their own profession and prejudice from society and its members at large. Systemic and individual prejudice is pervasive.

It has not escaped me to consider ethnic malice as a root cause of Lindsay H’s hate mail, as was the case for the anonymous bully quoted above. I have encountered this before: “Who does this Italian lawyer think he is to challenge our Canadian laws?”. My suspicions are borne out in the current COVID context as I have received hate mail which is demeaning, reprehensible and xenophobic intended to intimidate me as an advocate. I am denominated as a: “scum lawyer”, “mob lawyer”, “mobster” – all referring to the stereotype of Italians as members of organized crime. That I “wasn’t even born in Canada”, that I am “a foreigner trying to change laws”, and that I “will never be a Canadian, except in the civic sense, and even that is questionable.”

The “letters of complaint”, emails, from Lindsay H are yet another erratic, provocative, hateful tirade against me and ethnic prejudices play a role in sending it. While I sympathise with whatever personal angst she may have with respect to the COVID pandemic, it has nothing to do with me as a lawyer. Her redress lies elsewhere.

However, what is a new phenomenon for me, is that the LSO would give credence to the hate and prejudice. Rather than defending the advocate for ethically executing his duties, I am disheartened to learn that the LSO can be used as a vehicle for attacking a lawyer doing his/her job. As the intake counsel, you failed to specify what in my “statement” drew you to conclude it engages *Rule 5.6-1* and on what basis.

- **Rule 7.5-1**

With respect to *Rule 7.5-1*, my statement is not engaged as I have not infringed my obligations to any client, the Courts, or the administration of justice. On the contrary, my statement is in furtherance of the administration of justice as it impacts the most vulnerable segments of the public, being the disabled, and it is with respect to constitutionally and quasi-constitutionally entrenched human rights. Moreover, it is in furtherance of the law as enacted by the Ontario Legislature under O. Reg. 546/20, as set out above, as well as other Provinces in their masking exemptions and under *Human Rights Codes*.

- **Rule 5.1-1: Lawyer as Advocate**

In closing, as a former elected Bencher, I completely understand your role in the Law Society's protection of the "public interest". I know that your job is not any easy one and your work-load is heavy. However, with the utmost respect, this "complaint" was not diligently, or competently vetted, examined or researched before being passed on to a member for response. Unfortunately, it could constitute institutional "rubber stamping" of hate mail and prejudice by disgruntled and random individuals. It could also encourage the proliferation of hate-mail and retaliatory vindictive "complaints" against lawyers.

For example, in the past three days it has been brought to my attention that a Defendant in an action for defamation that I filed on behalf of a client has posted similarly outrageous and vile twitter posts solely on the basis of me representing a client over an issue on which he not only disagrees, but is a named party. I attach his posts. Notwithstanding his capacity as a medical doctor these outrageous statements speak for themselves. Apart from boldly stating that I do not have a right to take certain cases, a response to his tweets labels all lawyers who take cases with which they disagree "domestic terrorists". In his tweets he specifically references you, Ms. Samantha Nasser, with your address, email and phone coordinates and pointedly encourages others to file LSO complaints against me, referring to a LSO complaint number with which I am not acquainted. I do not, and will never, accept this type of hate-mail, and neither should the Law Society. I will not tolerate being asked to respond to such hate mail in the future. I will seek redress from the Courts.

The intake process must act, in part, as a gatekeeper to sift through spurious and misdirected rantings and scandalous allegations (intended to intimidate and harass lawyers from acting as advocate), from that of legitimate complaints. This is not the first failure within the COVID litigation context. Prior to your letter of December 17, 2020, I received correspondence, also from you, regarding completely unsubstantiated and, revealingly, *anonymous* "complaints" made by "Two Butlers". I query who are (is) the "Two Butlers"?

I would remind you of Rule 5.1-1 which reads:

5.1-1 *When acting as an advocate, a lawyer shall represent the client resolutely and honourably within the limits of the law while treating the tribunal with candour, fairness, courtesy, and respect.*

And the first commentary to that Rule which reads and dictates that:

[1] Role in Adversarial Proceedings - *In adversarial proceedings, the lawyer has a duty to the client to raise fearlessly every issue, advance every argument and ask every question, however distasteful, that the lawyer thinks will help the client's case and to endeavour to obtain for the client the benefit of every remedy and defence authorized by law.* The lawyer must discharge this duty by fair and honourable means, without illegality and in a manner that is consistent with the lawyer's duty to treat the tribunal with candour, fairness, courtesy and respect and in a way that promotes the parties' right to a fair hearing in which

justice can be done. Maintaining dignity, decorum and courtesy in the courtroom is not an empty formality because, unless order is maintained, rights cannot be protected.

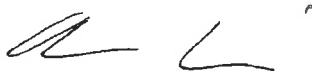
The LSO is tasked with protection of the public, but also of the legal profession and its members, regardless of the client or case. Rule 5.1-1 is a cornerstone for Canada's justice system. The intake counsel's job is to not only protect the public, but also protect the profession from the public's vile, unjustified, false, and scandalous attack on lawyers, which is not in concert with the "public interest". It is not in your jurisdiction and mandate to jump on the proverbial "hate bandwagon".

In another context, outside of a Regulatory complaint, "Lindsay H." would have been successfully sued for defamation for her comments, and not be the assumptive springboard from which to catapult an unsubstantiated query sent to me for response. Lindsay H.'s comments and complaints are unfoundedly outrageous and hateful. Yet, regrettably, you acted on them.

Given all of the above, I am entitled to an apology.

Yours very truly,
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION

Per:

A handwritten signature in black ink, appearing to read 'R. Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B., LL.M.
RG*bl



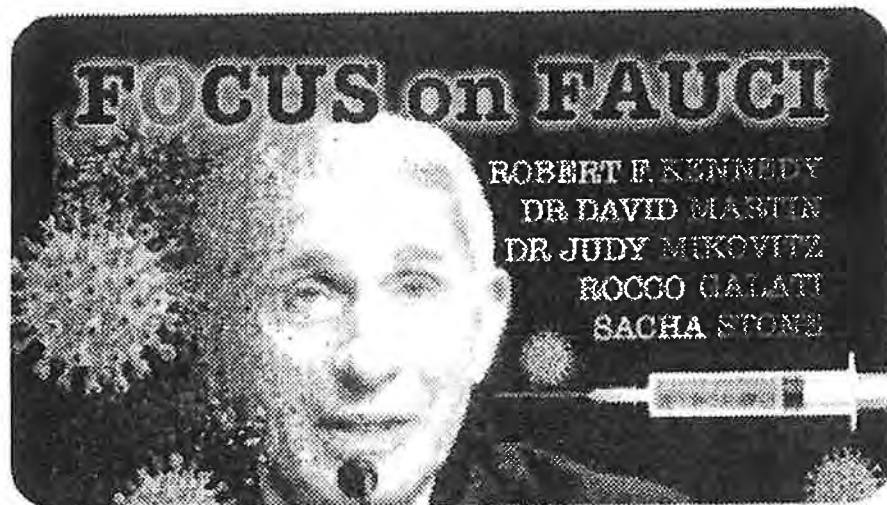
Terry Polevoy, MD
@TerryPolevoy

Replying to @TerryPolevoy and @AgainstRallies

I direct you to the LSO Chapter 2.1 rules of professional conduct for Ontario lawyers. Section 3. Would a client of any legal professional who openly flogs anti-vaccine, anti-mask, and anti-government positions figure on whether or not that would influence their trust?

2:00 PM 20 2 3

1:1 e



Terry Polevoy, MD

FILE COMPLAINTS AGAINST
GALATI:

Samantha Nassar

Counsel Intake & Resolution

Law Society of Ontario

393 University Ave. Suite 1100

Toronto, ON

M5G 1E6

416-947-3300 ext. 2098

snassar@lso.ca

File # 2020-246780

Libel & Slander Act

Notice of action

S (1) No action for libel in a newspaper or in a broadcast net, unless the plaintiff has, within six weeks after the alleged libel has come to the plaintiff's knowledge, given to the defendant notice in writing, specifying the matter complained of, which shall be written in the same manner as a statement of claim or by delivering it to a grown-up person at the chief office of the defendant. R.S.O. 1990 c. L.12 s. 5

7:23 PM Dec 29, 2020 - Twitter for iPad

Log in

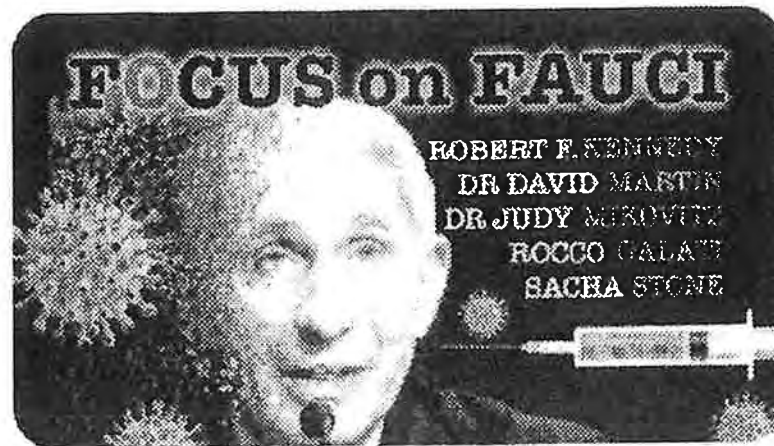
Sign up



Σκιων (skion64) @skion64 · 18h

From Sacha Stone:

January 5th, 11 am EST/ 4pm GST. I'll be hosting Dr Robert Kennedy Jr, Dr David Martin, Dr Judy Mikovitz, & Dr Rocco Galati



Terry Polevoy, MD

FILE COMPLAINTS AGAINST GALATI:

Samantha Nassar
Counsel, Intake & Resolution
Law Society of Ontario
393 University Ave. Suite 1100
Toronto, ON
M5G 1E6
416-947-3300 ext. 2098
snassar@lso.ca

File # 2020-246700

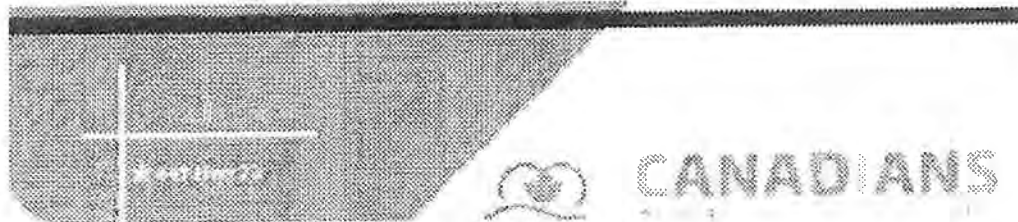


Canadians Against "Freedom..."

We will not stop until these domestic terrorists are stopped



**HELP US LINE THE ROAD - BUT
STAY IN YOUR VEHICLE!**



Terry Polevoy, MD

Ask them how much money they've
put away to defend themselves in

portion to go to lawyers like Rocco Galati? If they did, what was the retainer? It is very disappointing that Rocco filed vexatious lawsuit against some of us. Too late!

Libel & Slander Act

Notice of action

5 (1) No action for libel in a broadcast lies unless the plaintiff waits after the alleged libel until, to the plaintiff's knowledge, the defendant notice in writing the matter complained of, which notice is given in the same manner as a statement by delivering it to a grown-up or chief office of the defendant.

STAY IN YOUR VEHICLE!





Terry Polevoy, MD @TerryPolevoy

Ask them how much money they've put away to defend themselves in court! Did they earmark a large portion to go to lawyers like Rocco Galati? If they did, what was the retainer? It is very disappointing that Rocco filed vexatious lawsuit against some of us. Too late!

Libel & Slander Act

Notice of action

5 (1) No action for libel in a broadcast lies unless the plaintiff, after the alleged publication, has given the plaintiff's knowledge, of defendant notice in writing of the matter complained of, in the same manner as a statutory delivery to a grown-up chief office of the defendant.



Terry Polevoy, MD

@TerryPolevoy

I direct you to the LSO Chapter 2.1
rules of professional conduct for

Ontario Lawyers Association Section 2.1.1

client of any legal professional who
openly flogs anti-vaccine, anti-mask,
and anti-government positions figure
on whether or not that would
influence their trust?

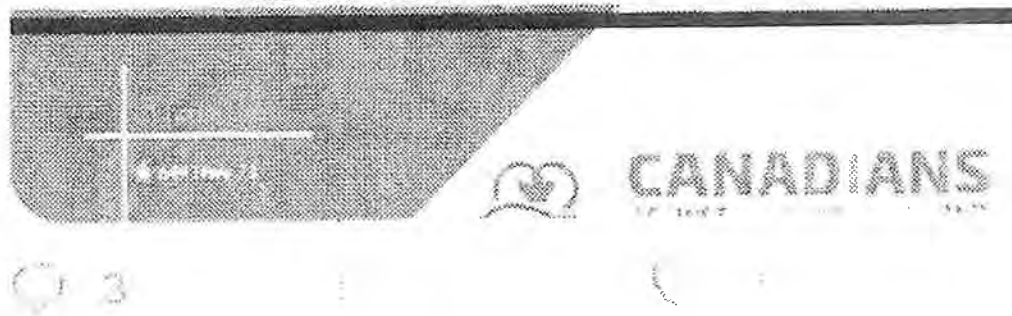


Canadians Against "Freedom..."

We will not stop until these domestic
terrorists are stopped



WE D I C I N E T H E D O A D - B I T



Terry Polevoy, MD

Ask them how much money they've put away to defend themselves in court! Did they earmark a large portion to go to lawyers like Rocco Galati? If they did, what was the retainer? It is very disappointing that Rocco filed vexatious lawsuit against some of us. Too late!

Libel & Slander Act

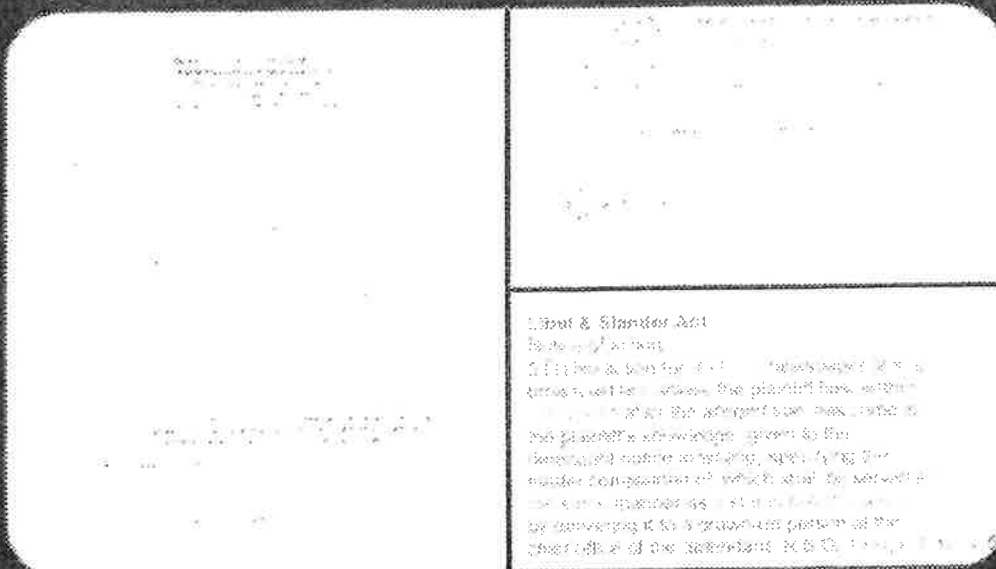
Notice of action

5 (1) No action for libel in a broadcast lies unless the plaintiff proves that the defendant knew or was reckless after the alleged publication of the defamatory statement in the plaintiff's knowledge.

matter complained of, with
the same manner as a star
by delivering it to a grown-
chief office of the defendar



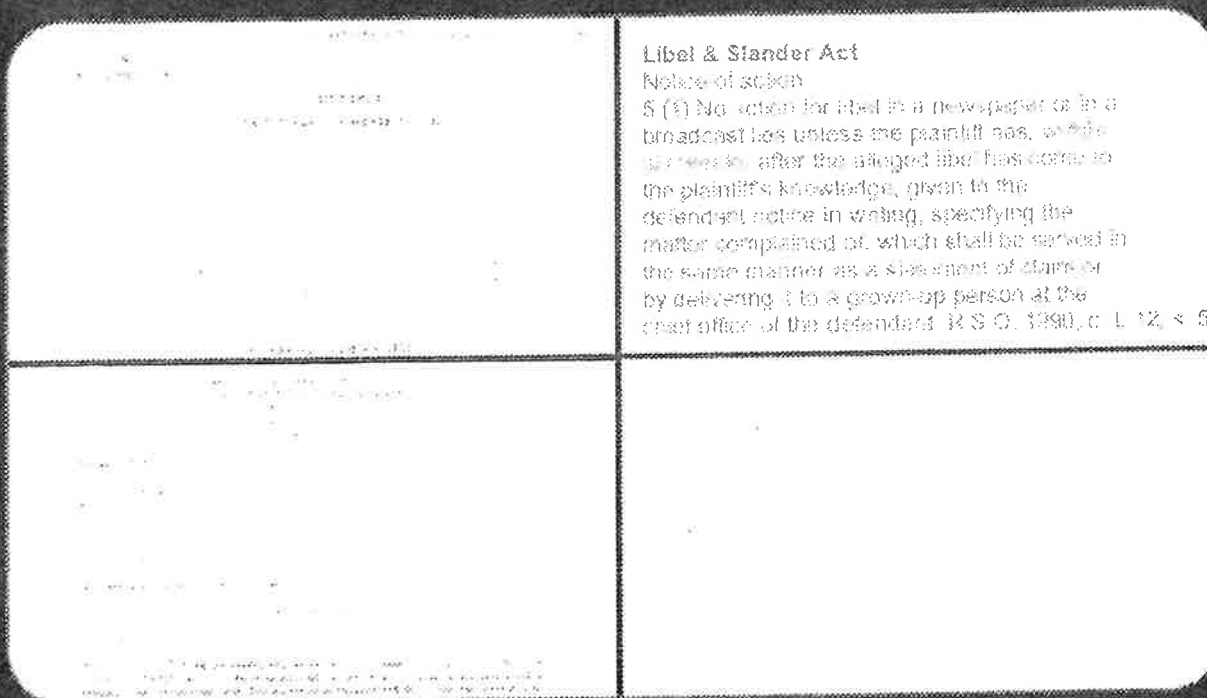
Terry Polevoy, MD @Terr... · Nov 5
@LawSocietyLSO So, why did Rocco Galati send threatening letters to at least 9 Canadian physicians in October? Why did he include libelous, frivolous, and vexatious accusations on behalf of Dr. Kulvinder Gill? I think the LSO needs to examine his intentions!



Terry Polevoy, MD

Replying to @TerryPolevoy @FrommPaul and
@LawSocietyLSO

**Rocco Galati finally filed SOC
lawsuit against the media,
physicians and a law professor
electronically on Dec.11, 2020.
Libel and Slander lawsuits need to
be filed within 6 weeks. It's way
too late!**



1:22 PM · Dec 29, 2020 · Twitter for iPad

Quotient Terry Polevoy, MD @Te Oct 30

So, why is Rocco Salati threatening a lawsuit across Canada on behalf of Dr. Kulvinder Gill? Too little, too late!

Libel & Slander Act

Notice of action

5 (1) No action for libel in a
broadcast lies unless the r
six weeks after the allege
the plaintiff's knowledge, o
defendant notice in writing
matter complained of, whic
the same manner as a sta
by delivering it to a grown-
chief office of the defender



2



Terry Polevoy, MD

@TerryPolevoy

Replying to @TerryPolevoy @StefBlaisCPA and @roccogalatilaw

Finally filed electronically on Dec. 11, 2020. Libel and Slander action must be filed within 6 weeks. Too late.

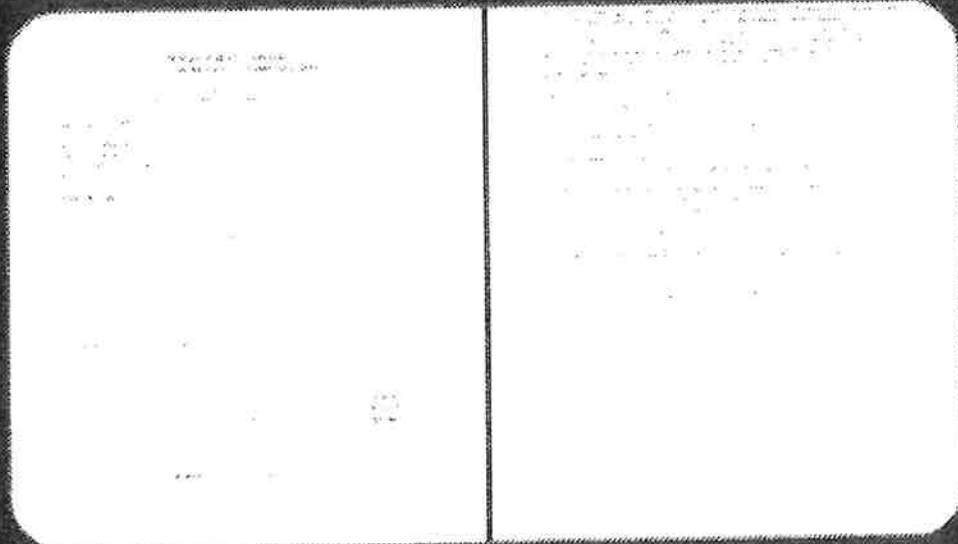


1:59 PM · Dec 29, 2020 · Twitter for iPhone



Terry Polevoy, MD @Te... · Oct 23
@KatieNicholson I think you might want to investigate the threat of a libel and defamation lawsuit launched by Dr. Kulvinder K Gill. Her lawyer, Rocco Galati, failed to notify me within the required 6

the threat. It was libelous to me!

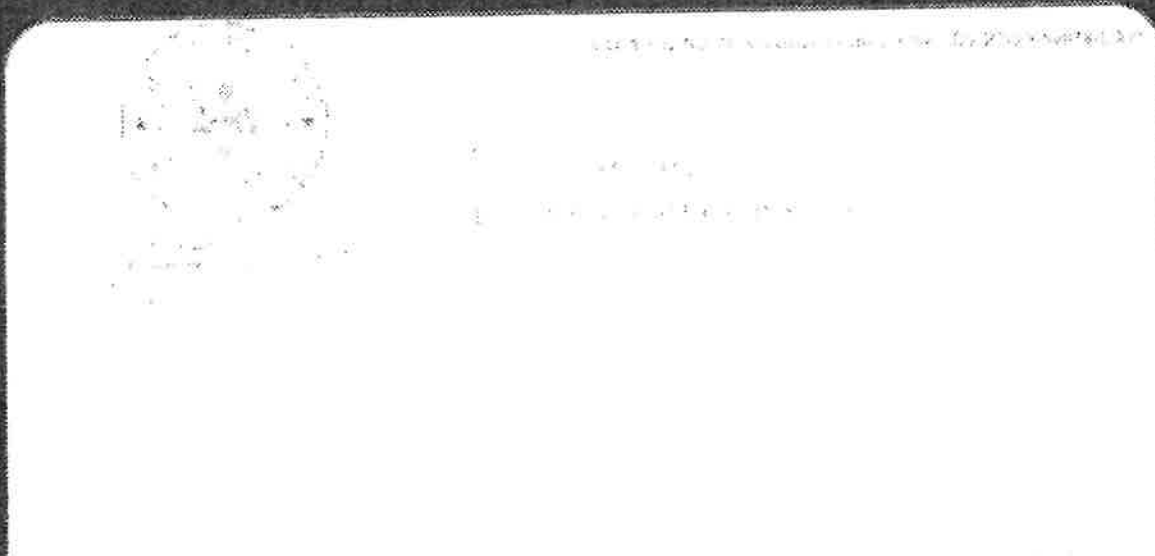


Terry Polevoy, MD
@TerryPolevoy



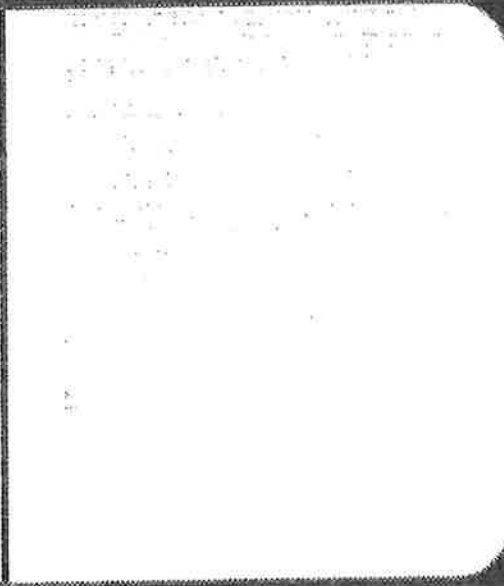
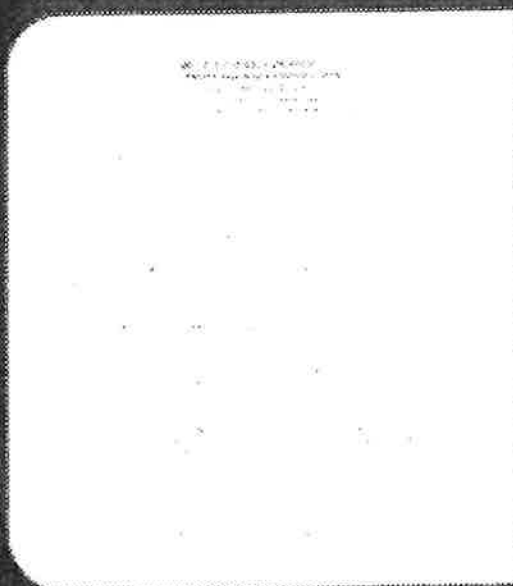
Replying to @TerryPolevoy

He filed it on Dec. 11, 2020. Way too late!



Sign up

failed to notify me within the required 6 weeks as legally required. I am attaching the threat. It was libelous to me!

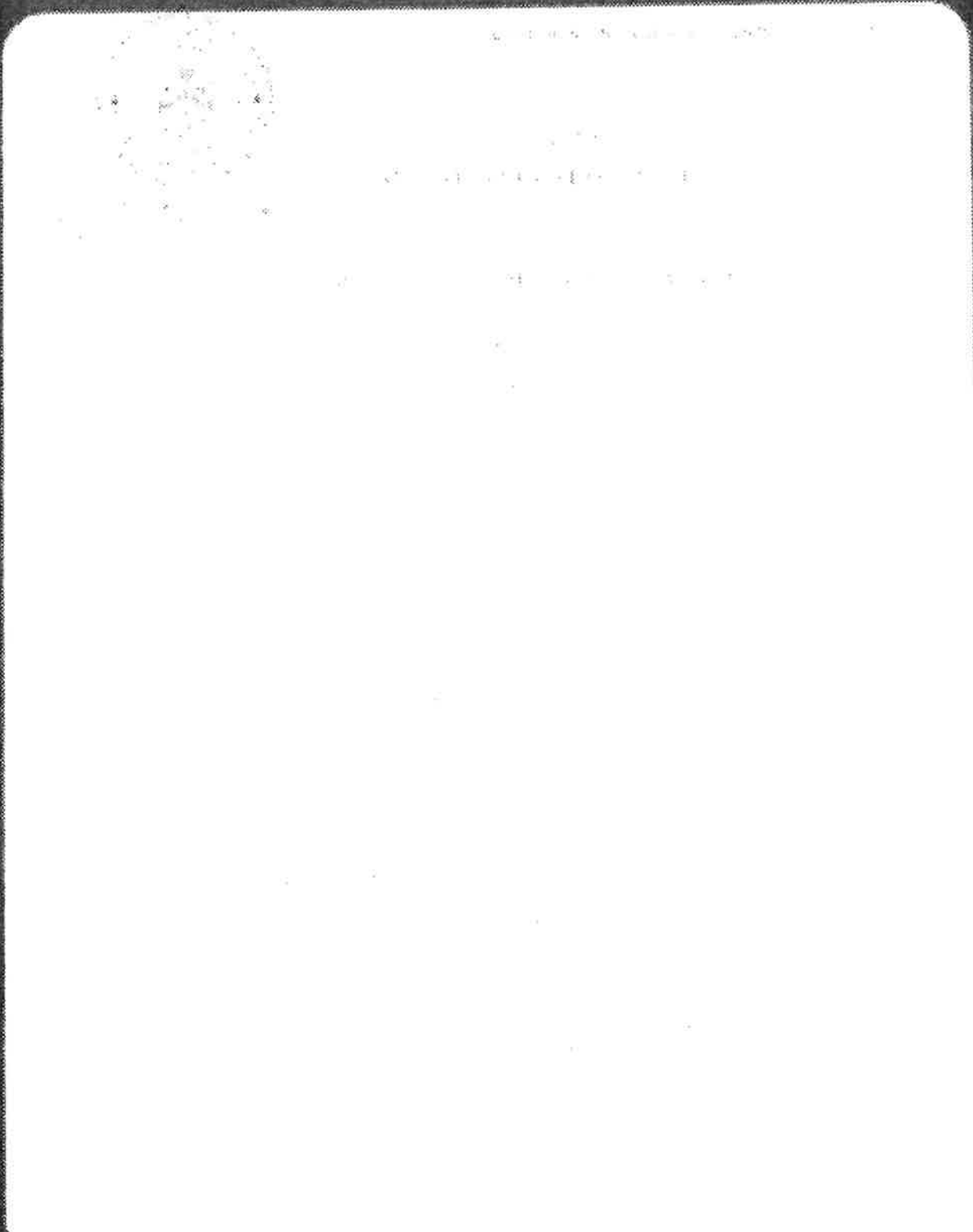


3



Terry Polevoy, MD
@TerryPolevoy

Replying to e-mail from [redacted]
He filed it on Dec. 11, 2020. Way too late!

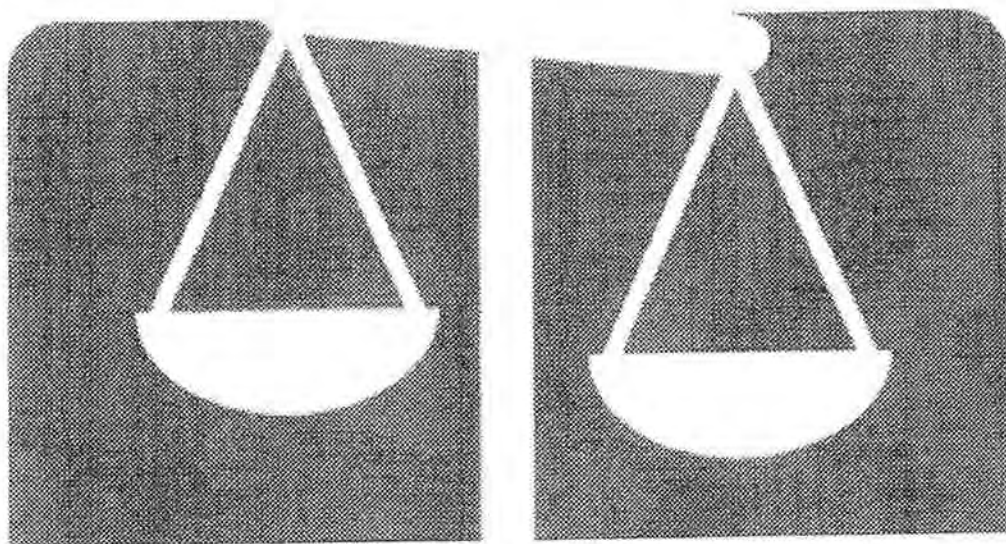


2:00 PM · Dec 29, 2020 · Twitter for iPhone

Like

**Rocco Galati** @roccogalati · Oct 27

Take a look at this web site. It documents the horrors and fall-out of the lockdowns.



The Price of Panic - Lockdowns Cost Lives

[\\$11.4m profit - Oct 01](#)

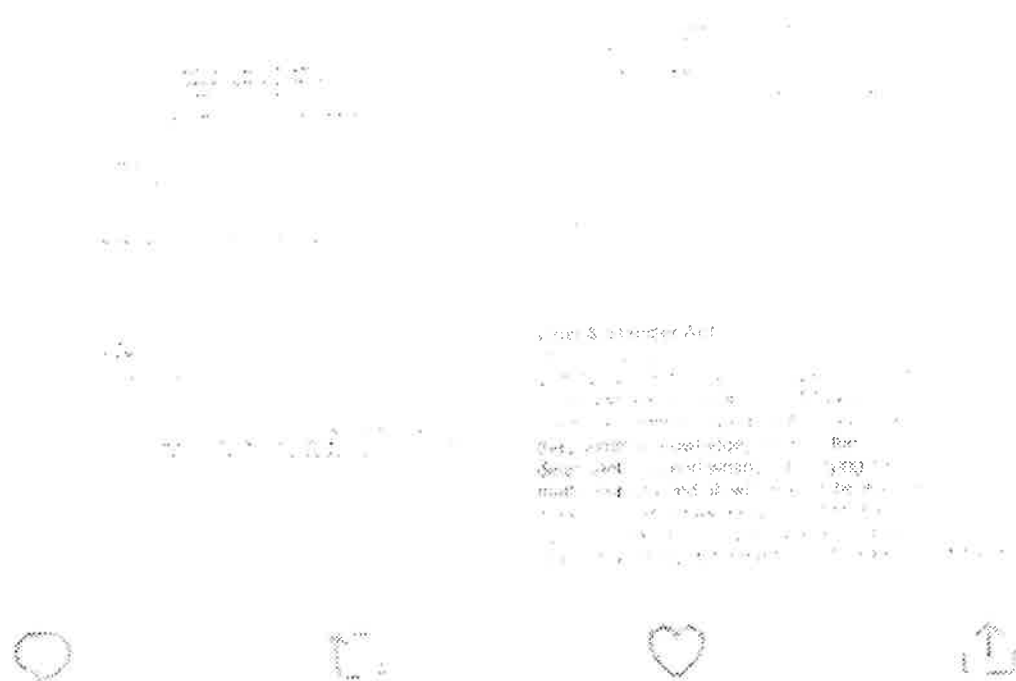


Quackery

**Terry Polevoy, MD** @TerryPolevoy · Oct 28

So Rocco, why did you threaten many Canadian doctors with a baseless, frivolous, vexatious, and libelous lawsuit

remind you that your threatened actions
will have consequences! Maybe you need
to apologize to all of us!



Replying to @Polevoy on Post: "Hey Rocco Galati, the date and your signature on the bottom of the last page should have been

Hey Rocco Galati, the date and
your signature on the bottom of
the last page should have been



Hey Rocco Galati, the date and your signature on the bottom of the last page should have been filed within 6 weeks. Sorry, but today is Dec 28, 2020. What took so long?



CONCLUSIONS

IF YOU WISH TO DEFEND THIS PROCEEDING, YOU MUST COME TO COURT ON THE DATE SET FOR HEARING. IF YOU DO NOT COME TO COURT ON THE DATE SET FOR HEARING, THE COURT WILL MAKE A DECISION FOR YOU. IF YOU DO NOT COME TO COURT ON THE DATE SET FOR HEARING, THE COURT WILL MAKE A DECISION FOR YOU. IF YOU DO NOT COME TO COURT ON THE DATE SET FOR HEARING, THE COURT WILL MAKE A DECISION FOR YOU.

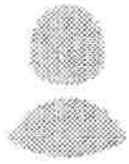
12:34 AM Dec 29, 2020 Title: Web App



Tweet

VIEWING ROOM.





@elliottgilfoyle @elliottgilfoyle · 11h

What's the complaint? LOL



Quackery



Terry Polevoy, MD

@TerryPolevoy

Replying to @elliottgilfoyle

Here is a link to the entire Kaur-SOC vexatious and frivolous lawsuit. It is now searchable. There is ZERO evidence of specific damages. There is an active LSO complaint against Galati. 2020-246780. Add to it if you want!

pdf

Kaur-SOC-Issued.pdf

dropbox.com

9:31 AM · 2020-12-29 · Public · Private



Look & Wonder App
For your iPhone
Download the Look & Wonder App
on the App Store or Google Play
to get the most out of your
Look & Wonder account. The app
allows you to view your account
information, including your
account balance, and manage
your account settings. It also
allows you to view your account
history and manage your
account settings.



Terry Polevoy, MD
@TerryPolevoy

Reply

Replying to @TerryPolevoy · December 29, 2020 · W

Hey Rocco Galati, the date and your signature on the bottom of the last page should have been filed within 6 weeks. Sorry, but today is Dec 28, 2020. What took

30/03/2023



Courtesy of the Ontario Court of Justice - 2023-03-15

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

Dr. Terry Forevay Delamination Dec 27-30, 2020

**Terry Polevoy, MD**

@TerryPolevoy

The allegations in this lawsuit filed by Rocco Galati are frivolous and vexatious. They were also filed way beyond the limits of the the Libel and Slander Act s.5 R.S.O. ,c. L.12, s.5(1). Also, 3 of the email addresses were wrong.

Terry Polevoy, MD @TerryPolevoy 12h

Rocco Galati sent an email to me on Dec. 28, 2020 with a Statement of Claim (SOC) to the Superior Court of Justice on behalf of Drs. Kulvinder Kaur Gill and Dr. Ashvinder Kaur Lamba. Signed by him on Dec 9, 2020. Electronically filed on Dec 11, 2020. Too late for libel case!


12:47 AM - Dec 29, 2020 - iWine Web App



Terry Polevoy, MD

Dr. Terry Polevoy

Rocco Galati sent an email to me on Dec. 28, 2020 with a Statement of Claim (SOC) to the Superior Court of Justice on behalf of Drs. Kulvinder Kaur Gill and Dr. Ashvinder Kaur Lamba. Signed by him on Dec 9, 2020. Electronically filed on Dec 11, 2020. Too late for libel case!

 Terry Polevoy, MD
Dr. Terry Polevoy, MD

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2

1

4

Terry Polevoy, MD

Dr. Kulvinder Gill, MD, FRCPC
President - Concerned Ontario Doctors
Twitter: @dockaurG

Attachments:

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Size:	283 k
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Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

November 25, 2021

Sent via email only

Private & Confidential

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Rocco Galati:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

The Intake & Resolution Department of the Professional Regulation Division received a further complaint from Alexandra Moore.

Please find enclosed for your reference, a copy of my response to Alexandra Moore. You will note that I have closed the case.

I do not require a response from you, as the Law Society does not intend to pursue the matter further at this time.

Yours truly,

A handwritten signature in black ink, reading "Miko Dubiansky".

Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

Encl.



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

November 25, 2021

Sent via email only

Private & Confidential

Alexandra Moore

Dear Alexandra Moore:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

I am writing to follow-up as I had indicated to you in my email dated September 21, 2021. I have completed my review of your further complaint about Rocco Galati alleging incivility. I have also collected information from Mr. Galati. For the reasons explained below, the Law Society will not be taking any further action in response to your complaint.

Reasons for Outcome

Background

Mr. Galati is a lawyer licensed by the Law Society. Mr. Galati commenced an action against you in which he is seeking damages for, among other things, libel and slander (defamation) for posts and statements you made about him on the internet. He is represented by counsel in the matter. The litigation is ongoing. You have never been Mr. Galati's client.

Issues Raised in Your Complaint

1. Whether Mr. Galati was uncivil towards you

Explanation

You raised concerns about Mr. Galati engaging in uncivil conduct towards you. Based on my review, the concerns raised in your complaint arose in the context of the posts and statements you are alleged to have made, which are currently before the Court. These issues are, therefore, likely to be addressed and/or considered by the Court during the litigation. In any event, you, and your counsel (if you have one) may also have the

opportunity to raise any specific concerns you have about Mr. Galati with the Court. If the Court makes any negative comments/findings about Mr. Galati's conduct in this matter, you may provide the Law Society with that information as well as supporting documentation for consideration.

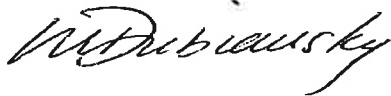
Confidentiality

This letter is provided solely for the purpose of communicating to you the outcome of your complaint to the Law Society pursuant to section 49.12 of the *Law Society Act* and is confidential as between the recipients and the Law Society.

Outcome

For the reasons set out above, the Law Society will not be taking further action in response to your complaint.


Yours truly,



Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Email: mdubians@lso.ca

cc: Rocco Galati

This is Exhibit “11” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

August 3, 2021

Private & Confidential

Sent by Email Only: rocco@idirect.com

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

The Law Society received a complaint from Alexandra Moore which was closed by Samantha Nassar, Intake & Resolution Counsel for the reasons set out in her letter dated February 18, 2021.

The Law Society received a further complaint from Ms Moore concerning the attached Tweet. Since Ms Nassar is away from the office, the file has been reassigned to me to address the further complaint.

To assist me in my review of the complaint, please provide by **August 17, 2021** an explanation with respect to the following regulatory issue:

- That you used inappropriate language towards Ms Moore

If you have additional documents and/or other information that you think will be of assistance, please forward them to me as well. Once I am in receipt of the information, I may be telephoning you to discuss the issues raised in the complaint.

Please note that the Law Society is conducting an investigation under s. 49.3(1) of the *Law Society Act*. Since an investigation has not been authorized under s. 49.3(2) of the *Act*, you are not required to provide the information requested above. You are, however, required to respond promptly and completely to this communication (Rule 7.1-1 of the *Rules of Professional Conduct*). A decision about whether to refer this complaint to Investigation Services will be made on the basis of the information available when the review is completed.

Please advise us if you require Law Society communications in an alternate format that is accessible, or if you require other arrangements to make Law Society services accessible to you.

Temporary arrangements due to COVID-19

The Intake & Resolution department is working electronically and the best way to send us information is by email. If you send us information by mail or courier, our response may be delayed.

Information for licensees about the Law Society's response to COVID-19 is available on the Law Society's website [here](#).

Please feel free to contact me if you have any questions about this letter.

Yours truly,



Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

Encl.

twitter.com/roccogalatilaw/status/1338980903226384384



Tweet



Rocco Galati
@roccogalatilaw

...

Moronic troll, ignores video and text, has a history of defaming CRC, is being sued for it, misleads and lies here. We are not selling Court forms. Attached to the required Court forms is the text(s) of the pleadings of fact and law. Schedule A attached sets out the claim(s).



Canuck 🤔🤔🤔🐾 @canucklaw1 · 3h

While absolutely nothing happens in July 6 lawsuit with @VaccineChoiceCA, their lawyer @roccogalatilaw has a new gig: selling court forms to suckers.

Have to admire the nerve of a man who can sell documents (available for free online), for \$90 each.

youtube.com/watch?v=ELpf2G...

[Show this thread](#)

**ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION**

1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

August 7, 2021

Miko Dubiansky
Law Society of Ontario
393 University Avenue, Suite 1100 Toronto
M5G 1E6

VIA EMAIL: mdubians@lso.ca

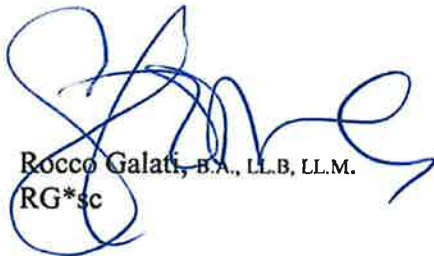
Dear Mr. Dubiansky,

RE: Complainant: Alexandra Moore; Case No.: 2021-248873

I am writing to you in response to your correspondence with respect to the above-matter.

You have requested that I submit a response by August 17, 2021, however, I am going on vacation which will start next week. Can you provide me with an extension of time to September 17th, 2021 in order to respond?

Yours very truly,
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION
Per:



Rocco Galati, B.A., LL.B., LL.M.
RG*sc



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

November 25, 2021

Sent via email only

Private & Confidential

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Rocco Galati:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

The Intake & Resolution Department of the Professional Regulation Division received a further complaint from Alexandra Moore.

Please find enclosed for your reference, a copy of my response to Alexandra Moore. You will note that I have closed the case.

I do not require a response from you, as the Law Society does not intend to pursue the matter further at this time.

Yours truly,

A handwritten signature in black ink, reading "M Dubiansky".

Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

Encl.



Law Society
of Ontario

Barreau
de l'Ontario

File Number	
Lawyer/Paralegal Name	
Law Society Number	

If the space provided for any answer is insufficient, include a separate document with further details when you send the Complaint Form.

1. Information about you (the "Complainant")

Are you complaining for yourself or on behalf of a company or other entity?

☒ Yourself ☐ Company/Other Entity

Complainant Name

First Name	Middle Name	Last Name
Alexandra		Moore

Salutation

☐ Mr. ☒ Ms. ☐ Mrs. ☐ Dr. ☐ Other (Specify) _____

Mailing Address

Number, Street, P.O. Box, Unit/Apartment Number

City	Province/Territory	Postal Code
	British Columbia	

Contact Information

Home Phone	Work Phone	Cell/Contact Phone	Fax Number
Personal Email	Work Email		
a.1689.1871@gmail.com			

May we contact you at work?

☐ Yes ☐ No

Company Information (if applicable)

Company Name		
n/a		
Contact First Name	Contact Last Name	Contact Position
n/a	n/a	n/a



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2. Information about the lawyer or paralegal you are complaining about

☒ Select if you are complaining about more than one lawyer or paralegal

NOTE: Attach a separate Complaint Form for each lawyer or paralegal that you are complaining about.

Lawyer or Paralegal

☒ Lawyer ☐ Paralegal ☐ Unknown

Name and Contact Information

First Name	Last Name	Work Phone
Samantha	Coomara	

Mailing Address

Number, Street, P.O. Box, Unit/Apartment Number

1062 College Street, Lower Level

City	Province/Territory	Postal Code
Toronto	Ontario	M6H1A9

3. Complainant and lawyer or paralegal relationship

a. What is your relationship to the lawyer or paralegal you are complaining about?

Examples can include: client, client of opposing lawyer or paralegal, opposing lawyer or paralegal, employed by lawyer or paralegal, family member, other (specify)

This lawyer is stalking and harassing me

b. Did you hire this lawyer or paralegal?

☐ Yes ☒ No

If you hired this lawyer or paralegal:

If there are any documents that show you hired the lawyer or paralegal, please attach a copy.
(For example: retainer agreement, letter, cheque payable to the lawyer or paralegal.)

When was the lawyer or paralegal hired?

n/a

What was the lawyer or paralegal hired to do?

n/a

Is the matter completed?

☐ Yes ☒ No



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Is the lawyer or paralegal still working for you?

☐ Yes ☒ No

If you did not hire this lawyer or paralegal:

Who did/does the lawyer or paralegal act for?

Rocco Galati, who pretends to be filing cases to end martial law measures in Canada

How are you involved?

Reporting on cases which public donations are constantly being sought

If the person you are complaining about is not your lawyer or paralegal, do you have your own lawyer or paralegal?

☐ Yes ☒ No

Name and Contact Information for Your Lawyer or Paralegal (if applicable)

First Name

n/a

Last Name

n/a

Work Phone

n/a

May we speak to your lawyer or paralegal about this complaint?

☐ Yes ☒ No

c. What area of law/legal services does your complaint relate to? (Select all that apply)

- ☐ Real Estate
- ☒ Civil Litigation
- ☐ Corporate / Commercial / Business
- ☐ Matrimonial / Family
- ☐ Administrative / Immigration
- ☐ Estates / Wills
- ☒ Other - Specify: Reporting on ongoing cases

If you are complaining about an estate:

Are you the Estate Trustee or the Executor?

☐ Yes ☒ No

If no, who is the Estate Trustee or the Executor?

n/a

Are you a beneficiary?

☐ Yes ☒ No



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d. Does your complaint involve a matter before a Court or a tribunal?

☒ Yes ☐ No

What is the name of the Court or tribunal? (For example, Ontario Court of Justice, Small Claims Court, Landlord and Tenant Board.)

Ontario Superior Court

What city is the Court or tribunal located in?

Toronto

What is the Court or tribunal file number? (If known)

CV-20-00643451-0000, CV-00629801-0000, CV-20-00652918-0000, CV-21-00661200-000

What is the status?

☒ Ongoing ☐ Complete



4. Your complaint

a. Please tell us about your complaint (4,000 characters maximum)

I run a site that covers national affairs in Canada

This "lawyer" Samantha Coomara, is acting on behalf of Rocco Galati.

Galati is scamming the public by asking for money for cases he isn't actively pursuing. What people file privately is their business, but when it involves public fundraising and donations, it's in everyone's interest to know where that money is going.

Most notably is a case filed July 6, 2020, which Galati "claims" he is using to fight martial law measures in Canada. Despite this, more than a year later, there are no defenses filed, and outside of Windsor-Essex County and their MOH, no one even has representation.

Galati also attempted to scam the public by selling them half filled court documents, and telling them to go deal with it yourself, or hire a lawyer. He took advantage of desperate people.

As a reporter, I find it worthwhile to cover when high profile fundraising isn't going where it's stated.

I have also covered Galati's "hero of the people" persona, and how his actual court record flies in the face of it.

However, Galati and his "lawyer" Samantha Coomara are attempting to silence legitimate inquiry and coverage by threatening and intimidating someone who reports on their lies. This has been going on since October 2020. Again, when someone takes public money under the pretense of fighting a court case, it's worth looking into where that money is going.

They have also made repeated false accusations of racism, and threatened to not only get the site taken down, but to get me banned from ever posting again. These people have weaponized the slander and defamation laws in order to silence (*or attempt to silence), legitimate coverage of what they do.

Given this prolonged behaviour, I believe it amounts to stalking and harassment. Coomara refused to honour a "cease and desist" notice she was served with.



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**b. Please list the documents you are sending. (NOTE: Do not send originals.)
(4,000 characters maximum)**

August 21, 2021 notice

c. What do you hope will happen as a result of your complaint? (4,000 characters maximum)

Disbar them both (Coomara and Galati)

Do it such that neither is able to practice again.

These people are criminals, thugs, and are attempting to cover up their own criminal behaviour

Also: a permanent "cease and desist" order, or a no contact order.



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5. Acknowledgment and Consent

Before completing this Acknowledgment and Consent, please make sure you read the attached Information Sheet.

- ☒ By checking this box, I confirm that I am the Complainant named in Section 1, and that I have read and understand the following:

I understand that the Law Society will share some or all of the information and documents that it receives from me and other parties with the lawyer or paralegal complained about.

I agree to the Law Society sharing and providing copies of information and documents that it receives from me with the lawyer or paralegal complained about. I understand that if I do not agree, the Law Society may be unable to process my complaint.

I understand that the Law Society may not be able to process my complaint without supporting documents. I have attached copies of documents that support my complaint.

I understand that the Law Society may keep digital recordings of voice mail messages as part of the complaint file.

Alexandra Moore

Name of Complainant

Signature of Complainant

Aug 21, 2021

Date Completed

Note: If you are filing this complaint for another person who was the lawyer's or paralegal's client or who was the party directly affected by the lawyer's or paralegal's conduct, we may need a signed authorization from this other person in order to proceed with the complaint. There is an [authorization form \(PDF\)](#) available on our website. (You do not need a file number to complete the form.) If you hold power of attorney for the other person, you can include a copy of the power of attorney with the Complaint Form.

If you have any questions about how to file your complaint, please call the Client Service Centre at 416-947-3310 or 1-800-268-7568. Please note: We cannot discuss your personal situation until you have provided your Complaint Form to us.



Law Society
of Ontario

Barreau
de l'Ontario

Complaint Form

Information Sheet

What types of complaints will the Law Society deal with?

As the regulator of the legal professions in Ontario, we receive and respond to written complaints about lawyers and paralegals licensed by the Law Society. We also respond to information about unlicensed practitioners who are providing legal services or practising law.

We deal with a range of professional conduct matters. Examples include delay, failure to reply to communications, rude and discriminatory behaviour, not accounting for money or improperly handling it, and not reporting on a transaction.

We cannot assist with every kind of complaint; there are some things we do not have the legal authority to deal with.

After we review your Complaint Form, we will let you know if we are able to help.

Here is some information about other resources you can consider even if the Law Society is not able to help you.

- If you need legal services, you need to contact a lawyer or licensed paralegal.
- If you believe the fees charged by your lawyer were too high, contact the Assessment Office of the Ontario Superior Court of Justice. If you believe the fees charged by your paralegal were too high, you may wish to contact the Small Claims Court. (Currently the jurisdiction of the Small Claims Court is limited to claims of \$35,000 or less.)
- In addition to making a complaint to the Law Society you may also wish to explore the availability of other options, such as the civil and/or criminal justice system. If you believe that the lawyer or paralegal's conduct may constitute a criminal offence, please consider reporting it to the police.

Please note that the Law Society cannot pay you money or make a lawyer or paralegal pay you money because of a lawyer or paralegal's mistake. If you believe a lawyer or paralegal has made a mistake, you will have to deal directly with them or you may have to sue the lawyer or paralegal. You may wish to seek legal advice about your options.

For more information, visit the 'Public Resources' section of the Law Society website, at <http://www.lso.ca>.

Confidentiality

In fairness to the lawyer or paralegal you are complaining about, we will share with them some or all of the information you give us. We may give copies of documents received from you or any other person to the lawyer or paralegal you are complaining about. We may also need to share personal information (such as names, addresses and telephone numbers) with the lawyer or paralegal.

Complaints and investigations are otherwise confidential unless the Law Society has begun regulatory proceedings.



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What you need to do

1. Complete the Complaint Form.

If the space provided for any answer is insufficient, include a separate document with further details when you send it.

2. Gather any documents that relate to your complaint.

Include any documents that you think will help us understand your complaint (and direct us to the parts that you think are important). Note that we may not be able to access documents through file-sharing services such as Google Docs, Dropbox or OneDrive.

3. Send the completed Complaint Form with copies of relevant documents (**do not send originals**) and any additional details by email to comail@lso.ca or mail to:

Law Society of Ontario
Osgoode Hall, 130 Queen Street West Toronto ON M5H 2N6
Attention: Complaints & Compliance

What happens next?

We will promptly send you a letter to let you know we received your complaint. Your complaint is assigned a file number, which will be indicated in the letter.

Each complaint will be carefully reviewed and assessed. For information about this process, visit our website: <https://www.lso.ca/complaints>.

If we cannot help with a complaint or deal with it as a professional conduct matter, we will let you know. We will keep you informed about the status of your complaint.

Our commitment to a respectful environment

The Law Society is committed to communicating with you in a respectful, professional and civil manner. Similarly, we expect the same courtesy from others.

We understand that the complaint process and the circumstances that give rise to complaints can be stressful. However, we will not accept racist, discriminatory or harassing behaviour or profane communications.

The Law Society is required by law to protect staff from harassing, discriminatory and threatening behaviour. Please note that repeated behaviour of this kind will result in the Law Society restricting communications or no longer communicating with you beyond advising you of the outcome of your complaint.

Questions?

If you have any questions about how to file your complaint, please call the Client Service Centre at **416-947-3310 or 1-800-268-7568**. Please note we cannot discuss your personal situation until you have provided your Complaint Form to us.

With very limited exceptions, you must bring your complaint to us within three years of the date the problem occurred or the date that you became aware of it.



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Intake & Resolution
Professional Regulation

November 25, 2021

Sent via email only

Private & Confidential

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Rocco Galati:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

The Intake & Resolution Department of the Professional Regulation Division received a further complaint from Alexandra Moore.

Please find enclosed for your reference, a copy of my response to Alexandra Moore. You will note that I have closed the case.

I do not require a response from you, as the Law Society does not intend to pursue the matter further at this time.

Yours truly,

A handwritten signature in black ink, reading "Miko Dubiansky".

Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

Encl.



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Intake & Resolution
Professional Regulation

November 25, 2021

Sent via email only

Private & Confidential

Alexandra Moore

Dear Alexandra Moore:

Re: Subject: Rocco Galati
Complainant: Alexandra Moore
Case No.: 2021-248873

I am writing to follow-up as I had indicated to you in my email dated September 21, 2021. I have completed my review of your further complaint about Rocco Galati alleging incivility. I have also collected information from Mr. Galati. For the reasons explained below, the Law Society will not be taking any further action in response to your complaint.

Reasons for Outcome

Background

Mr. Galati is a lawyer licensed by the Law Society. Mr. Galati commenced an action against you in which he is seeking damages for, among other things, libel and slander (defamation) for posts and statements you made about him on the internet. He is represented by counsel in the matter. The litigation is ongoing. You have never been Mr. Galati's client.

Issues Raised in Your Complaint

1. Whether Mr. Galati was uncivil towards you

Explanation

You raised concerns about Mr. Galati engaging in uncivil conduct towards you. Based on my review, the concerns raised in your complaint arose in the context of the posts and statements you are alleged to have made, which are currently before the Court. These issues are, therefore, likely to be addressed and/or considered by the Court during the litigation. In any event, you, and your counsel (if you have one) may also have the

opportunity to raise any specific concerns you have about Mr. Galati with the Court. If the Court makes any negative comments/findings about Mr. Galati's conduct in this matter, you may provide the Law Society with that information as well as supporting documentation for consideration.

Confidentiality

This letter is provided solely for the purpose of communicating to you the outcome of your complaint to the Law Society pursuant to section 49.12 of the *Law Society Act* and is confidential as between the recipients and the Law Society.

Outcome

For the reasons set out above, the Law Society will not be taking further action in response to your complaint.

Yours truly,



Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Email: mdubians@lso.ca

cc: Rocco Galati

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

September 11, 2021

Miko Dubiansky
Law Society of Ontario
393 University Avenue, Suite 1100 Toronto
M5G 1E6

VIA EMAIL: mdubians@lso.ca

Dear Mr. Dubiansky,

RE: Complainant: Alexandra Moore; Case No.: 2021-248873

You have asked me to answer Mr. Moore's "further" complaint.

Ms. Nasser has dismissed two complaints by Ms. Moore: one against me, and one against my legal counsel with respect to a s.5 *Libel and Slander Act* Notice I served Ms. Moore as a result of a vile and vicious video and text blog Ms. Moore wrote and published, through her website, "Canuck Law".

In my tweet, I was responding to Ms. Moore's second libelous expose where she was lying by stating that the Constitutional Rights Centre and I were selling "blank forms" which one could get for free on the Small Claims Court website.

I had others email and phone me to alert me to Ms. Moore's tweet. My response speaks for itself.

With respect to the "inappropriate language", whether language is appropriate or not necessary is always contextual. Clearly, with respect to the "forms" she misleads and lies. I am not going to address that as it is self-evident. As a result of the hostile, threatening emails and calls I got, as a result of Moore's tweet, I eventually took down the template.

I attach a copy of a statement of claim, issued in Ontario Superior Court, which outlines the full history of Ms. Moore's (and Canuck Law's) inexplicable targeting of me and my work (clientele).

I demand you read it **carefully**.

With respect to “moronic troll”, Ms. Moore has hounded me for a while with vile, filthy, and baseless allegations claiming that I am, amongst other things:

- (a) A mobster;
- (b) “scum”;
- (c) A terrorist;
- (d) An elite Jew who is part of the “Cabal” that controls the world;
- (e) A fraud;
- (f) Not a “real Canadian” because I am merely a foreigner meddling in strictly Canadian affairs;
- (g) Controlled opposition in line with Karl Marx, Trotsky, and Hitler;
- (h) That I intentionally lose and mis-plead my cases.

Ms. Moore, through her website, has published against me the vilest, anti-semitic, racist, and derogatory filth.

Once you have read the statement of claim, you will have to agree that my reference to her as a “moronic troll” is the most genteel, bleached, diplomatic, kindest, compliment I could pay her in describing what she is and does. The reference to “misleads” and “lying” are true, accurate, and also a kind description of what she does.

I have never met Ms. Moore. I have never, prior to this filth, reached out to her. I have not reached out since, except through counsel to issue s.5 Libel notices and the statement of claim. She has never reached out to me, nor has anyone at Canuck Law. I do not know, nor can I fathom, why I, and my clients, need to be the target of her vile, anti-Semitic, racist, and derogatory obsessions.

In addition to filing this claim, I am drafting a criminal complaint to forward to the RCMP in British Columbia, where she is apparently based, to pursue charges under the following *Criminal Code* charges:

- (a) Criminal harassment – s. 264(2)(b);
- (b) Defamatory libel known to be false – s.300; and
- (c) Conveying false information with intent to alarm – s.372(1)

The other thing I cannot fathom is the Law Society of Ontario’s approach and conduct in forwarding this to me for response at all. Ms. Nassar was on the previous Moore complaints. There seems to have been absolutely no minimal review of them, nor Ms. Moore’s website, to glean what Canuck Law and Ms. Moore are about with respect to me and my clients.

In my last correspondence, on a similarly outrageous complaint, by an outrageous individual, with respect to an attempt to censor my speech, I indicated that the next time I received one of these, I would commence action against the LSO, in the absence of an apology.

If I do not receive an apology from the LSO on this “complaint”, which should not even have reached me, if the minimum of research was done on Ms. Moore and her website, I will

commence action against the LSO for negligent investigation and the newly-created tort of (online) harassment because ,it seems to me ,that the LSO is more than content and willing to be dupe and conduit for Ms. Moore's and Canuck Law's filth, anti-Semitic, racists, and derogatory harassment of me and my clients.

Yours very truly,

ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION

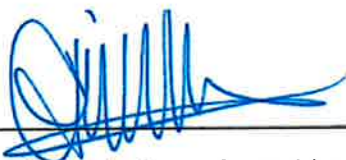
Per:

A handwritten signature in black ink, appearing to be 'R Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B., LL.M.

RG*sc

This is Exhibit “^{١١}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



Law Society
of Ontario

Barreau
de l'Ontario

393 University
Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 4, 2022

Sent via email only: rocco@idirect.com

Private & Confidential

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm
Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Mr. Galati:

Re: Subject: Rocco Galati
Complainant: Terry Polevoy
Case No.: 2021-257110

On August 26, 2021, the Intake & Resolution Department of the Professional Regulation Division received a complaint from Terry Polevoy. Please find enclosed for your reference, a copy of my response to Terry Polevoy.

I do not require a response from you at this time as this file is closed.

Yours truly,

A handwritten signature in black ink, appearing to read 'Sharon Greene'.

Sharon Greene
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2296
Facsimile: (416) 947-3382
Email: sgreene@lso.ca

Encl. Outcome letter to complainant



Law Society
of Ontario

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Avenue, Suite 1100
Toronto, Ontario
M5G 1E6
<https://www.lso.ca>

Intake & Resolution
Professional Regulation

February 4, 2022

Private & Confidential

Sent by email only: drpoleyoy@yahoo.com

Terry Polevoy
13-170 University Ave W
Waterloo, ON N2L 3E9

Dear Mr. Polevoy:

Re: Subject: Rocco Galati
Complainant: Terry Polevoy
Case No.: 2021-257110

I have reviewed your initial complaint, which was received by Intake & Resolution on August 26, 2021. You subsequently sent in additional materials regarding Mr. Galati. You expressed concerns regarding Mr. Galati's conduct in a Zoom meeting as well as in two videos where he was speaking publicly; and his use of a form entitled "Commitment to Retain Rocco Galati Legal Service". More recently, you stated that Mr. Galati failed to show up in court and that he does not answer his phone.

I understand that you have no personal involvement in the events described above; rather, you have written to the Law Society as a concerned citizen.

The Law Society receives information from a number of sources, including members of the public, the media and the courts. Law Society investigations are confidential until, or unless, they result in a public regulatory response. Information about Law Society regulatory action is available on the Law Society website and the Law Society Tribunal website.

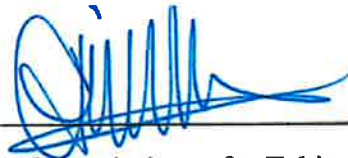
We appreciate you taking the time to bring this to the Law Society's attention for our consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Sharon Greene".

Sharon Greene
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2296
Facsimile: (416) 947-3382
Email: sgreene@lso.ca

This is Exhibit “**vv**” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by several vertical strokes and a horizontal flourish.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



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Intake & Resolution
Professional Regulation

February 4, 2022

Private & Confidential

Sent by email only

Franca Lombardi

Dear Franca Lombardi:

Re: Subject: Rocco Galati
Complainant: Franca Lombardi
Case No.: 2021-257446

I have reviewed your complaint email and attached video clip of Mr. Galati featured on Bright Light News, which was received by Intake & Resolution on September 9, 2021.

I understand that you have no personal involvement in this matter; rather, you have written to the Law Society as a concerned citizen.

The Law Society receives information from several sources, including members of the public, the media, and the courts. Law Society investigations are confidential until, or unless, they result in a public regulatory response. Information about Law Society regulatory action is available on the Law Society website and the Law Society Tribunal website.

We appreciate you taking the time to bring this to the Law Society's attention for our consideration.

Yours truly,

A handwritten signature in black ink, reading "Miko Dubiansky".

Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

c.c. Rocco Galati



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Intake & Resolution
Professional Regulation

February 4, 2022

Sent via email only

Private & Confidential

Rocco Galati
Barrister & Solicitor
Rocco Galati Law Firm Professional Corporation
1062 College St
Lower Level
Toronto, ON M6H 1A9

Dear Rocco Galati:

Re: Subject: Rocco Galati
Complainant: Franca Lombardi
Case No.: 2021-257446

On September 9, 2021, the Intake & Resolution Department of the Professional Regulation Division received a complaint from Franca Lombardi. Please find enclosed for your reference, a copy of my response to Franca Lombardi.

I do not require a response from you at this time as the file is closed.

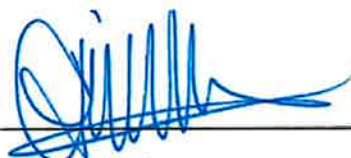
Yours truly,

A handwritten signature in black ink, reading "Miko Dubiansky".

Miko Dubiansky
Intake & Resolution Counsel
Telephone: (416) 947-3300, ext. 2084
Facsimile: (416) 947-3382
Email: mdubians@lso.ca

Encl.

This is Exhibit “^{ww}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

September 11, 2021

Miko Dubiansky
Law Society of Ontario
393 University Avenue, Suite 1100 Toronto
M5G 1E6

VIA EMAIL: mdubians@lso.ca

Dear Mr. Dubiansky,

RE: Complainant: Alexandra Moore; Case No.: 2021-248873

You have asked me to answer Mr. Moore's "further" complaint.

Ms. Nasser has dismissed two complaints by Ms. Moore: one against me, and one against my legal counsel with respect to a s.5 *Libel and Slander Act* Notice I served Ms. Moore as a result of a vile and vicious video and text blog Ms. Moore wrote and published, through her website, "Canuck Law".

In my tweet, I was responding to Ms. Moore's second libelous expose where she was lying by stating that the Constitutional Rights Centre and I were selling "blank forms" which one could get for free on the Small Claims Court website.

I had others email and phone me to alert me to Ms. Moore's tweet. My response speaks for itself.

With respect to the "inappropriate language", whether language is appropriate or not necessary is always contextual. Clearly, with respect to the "forms" she misleads and lies. I am not going to address that as it is self-evident. As a result of the hostile, threatening emails and calls I got, as a result of Moore's tweet, I eventually took down the template.

I attach a copy of a statement of claim, issued in Ontario Superior Court, which outlines the full history of Ms. Moore's (and Canuck Law's) inexplicable targeting of me and my work (clientele).

I demand you read it **carefully**.

With respect to “moronic troll”, Ms. Moore has hounded me for a while with vile, filthy, and baseless allegations claiming that I am, amongst other things:

- (a) A mobster;
- (b) “scum”;
- (c) A terrorist;
- (d) An elite Jew who is part of the “Cabal” that controls the world;
- (e) A fraud;
- (f) Not a “real Canadian” because I am merely a foreigner meddling in strictly Canadian affairs;
- (g) Controlled opposition in line with Karl Marx, Trotsky, and Hitler;
- (h) That I intentionally lose and mis-plead my cases.

Ms. Moore, through her website, has published against me the vilest, anti-semitic, racist, and derogatory filth.

Once you have read the statement of claim, you will have to agree that my reference to her as a “moronic troll” is the most genteel, bleached, diplomatic, kindest, compliment I could pay her in describing what she is and does. The reference to “misleads” and “lying” are true, accurate, and also a kind description of what she does.

I have never met Ms. Moore. I have never, prior to this filth, reached out to her. I have not reached out since, except through counsel to issue s.5 Libel notices and the statement of claim. She has never reached out to me, nor has anyone at Canuck Law. I do not know, nor can I fathom, why I, and my clients, need to be the target of her vile, anti-Semitic, racist, and derogatory obsessions.

In addition to filing this claim, I am drafting a criminal complaint to forward to the RCMP in British Columbia, where she is apparently based, to pursue charges under the following *Criminal Code* charges:

- (a) Criminal harassment – s. 264(2)(b);
- (b) Defamatory libel known to be false – s.300; and
- (c) Conveying false information with intent to alarm – s.372(1)

The other thing I cannot fathom is the Law Society of Ontario’s approach and conduct in forwarding this to me for response at all. Ms. Nassar was on the previous Moore complaints. There seems to have been absolutely no minimal review of them, nor Ms. Moore’s website, to glean what Canuck Law and Ms. Moore are about with respect to me and my clients.

In my last correspondence, on a similarly outrageous complaint, by an outrageous individual, with respect to an attempt to censor my speech, I indicated that the next time I received one of these, I would commence action against the LSO, in the absence of an apology.

If I do not receive an apology from the LSO on this “complaint”, which should not even have reached me, if the minimum of research was done on Ms. Moore and her website, I will

commence action against the LSO for negligent investigation and the newly-created tort of (online) harassment because ,it seems to me ,that the LSO is more than content and willing to be dupe and conduit for Ms. Moore's and Canuck Law's filth, anti-Semitic, racists, and derogatory harassment of me and my clients.

Yours very truly,
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION
Per:

A handwritten signature in black ink, appearing to be 'R. Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B., LL.M.
RG*sc

ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
1062 College Street, Lower Level
Toronto, Canada M6H 1A9

Direct Line (416) 530-9684 Fax (416) 530-8129

December 30th, 2020

VIA EMAIL AND REGULAR MAIL

Samantha Nassar
Intake & Resolution Counsel
Law Society of Ontario
393 University Avenue
Suite 1100
Toronto, Ontario
M5G 1E6
snassar@lso.ca

Re: Complaint Against Rocco Galati by Lindsay H.; Case No.: 2020-245374

This is my Reply to the individual public "complaint" of Ms. Lindsay H. and your letter dated December 17th, 2020.

In a follow-up email, with respect to Rule 4.1-2, you clarified that I need to address Rule 4.1-2(1)(a) and (d) of that Rule with respect to the referenced statement in your letter.

While the letter does not provide a hint as to how the statement could in any way raise *any* issue(s) of being "false or misleading", or "otherwise bring the administration of justice into disrepute", I will respond as best as I can.

In fact, a modicum of research would have revealed that the statement is a distilled, informational summary of the law in Ontario, and elsewhere.

Would you please elucidate how the statement, on its face, raises any issue of "false misleading statements" or "otherwise brings the administration of justice into disrepute"? Since your letter does not do so, I can only surmise that it is a disconcerting assumption.

• The emails of "Lindsay H" attached to "complaint".

I do not know Lindsay H, I have never spoken to her or had any contact or communication with her. She has never been my client. Your letter attaches her emails as "letters of complaint for my review". However, I am at a loss as to how I am supposed to respond to the emails with respect to the *Rules*.

Her attached emails are incoherent and replete with errors, unfounded assumptions, spurious claims and troublesome allegations for the following reasons:

- (a) I have **never, nor do I now**, represent(ed) Christopher Saccoccia, whom she describes, as "an emotionally unstable and dangerous anti mask conspiracy theorist";
- (b) How does her personal opinion and claim regarding Mr. Saccoccia concern me? How can she falsely claim that I represent Mr. Saccoccia without the intake process vetting it? And how can it then be forwarded to me for serious consideration and timely response?
- (c) Furthermore, the appallingly iniquitous claim that I, as an advocate, executing my professional duties to my client and members of the public am "a threat to the public", is a preposterous allegation to put forward to me for response. Threats to the public are matters for police investigation. They must not be made lightly, and must not be pandered to by professional regulatory bodies.

How could these incomprehensible and hateful emails be deemed a "complaint"? And then, how could this "complaint" have been forwarded to me without consideration of the above and the impact it would have on: 1) me as a member, 2) my execution of my professional obligations and oaths, and 3) my family, due to the stressors? This "complaint", intentionally or unintentionally, serves only to support and strengthen irate individuals of society, at large, *to intimidate lawyers* who represent clients and do cases they personally "dislike" or "disagree" with, *and to threaten them* with disciplinary action for doing so. Clearly the "complainant" seeks to see me disbarred or disciplined because she disagrees or dislikes my "client" and/or their "claims". Given this, and with all due respect, the LSO should be weary of such attempts and not allow itself to be used as a rubber stamp for baseless, egregious and malicious insults to be hurled at lawyers who take carriage of matters that individual members of society may have personal, political, sociological or philosophical objections to.

In fact, it is shocking that this email "complaint" has reached the point that I am required to respond to unchecked facts, and, insulting attacks on my person and profession. The untrue "facts" and disparaging personal comments are then used as the basis of Professional Misconduct allegations. Nevertheless, I respond as follows, as you require.

Lawsuits against the COVID-19 measures **have** been filed in Canada, in the USA, in England, in Portugal, in Austria, in Romania, and many other jurisdictions. Many have been argued successfully. So what? Why is it beyond belief that an individual or organization would challenge forced vaccination when the Supreme Court of Canada and Appellate Courts have ruled that **no** medical treatment can be administered without informed, voluntary consent, because, to do so, violates s.7 of the *Charter*? At the end of the day, whether or not a properly filed legal claim is frivolous or vexatious is for the Courts to determine, not an irate individual via a professional regulatory body. It is the LSO's duty to ensure and

maintain access to justice for individuals who seek to file legal claims for our judiciary to adjudicate, and also to respect the independence and mechanisms of our legal system, regardless of how unsavoury an individual may consider the *lis*. It is not the function of the LSO to have the Professional Regulation process be misused to abuse lawyers doing cases individual members of the public personally dislike.

In her follow up email, of September 11, 2020, "Lindsay H" purports to be speaking "on behalf of many concerned citizens". Unintelligible and malevolent accusations are made against me personally as a lawyer acting for litigants challenging the legal authority and jurisdiction of the government measures regarding the COVID pandemic. She reviles me of being a "COVID-19 denier" and "conspiracy theorist". I do not know what these terms mean, but, in its tone and content, this constitutes "hate mail".

I do **not** make posts on Facebook, I am **not** on Facebook nor have a Facebook account. This is another false assertion.

She then contemptuously accuses me of "making more people get sick and die" and that "I mock these deaths and treats them as irrelevant". How can I be expected to respond to this? It is just more hate mongering and constitutes "hate mail". I have never mocked anyone's death. These are nothing more than disdainful comments and constitute "hate mail".

She further writes and accuses that, I "encourage anti-maskers". My only response to this is that I do not know what "anti-masker" means. Citizens, under the law have a **right** to not wear a mask if they are exempt under the masking law, as set out below.

"Lindsay H" does not set out what medical and scientific expertise she has, or consulted, to make her cosmic, enveloping conclusions with respect to the science, medicine, law, and how my duties as a lawyer are "making people sick and killing them". Your letter does not state whether the LSO made any efforts to ascertain this before forwarding the "complaint" hate-mail to me.

• "My Statement"

My statement that you cite arose out of the fact that I was getting inundated with phone-calls and emails (between 1,500 -1,700) from people who had medical conditions exempting them from the requirement to wear a mask but, whose legal exemption was not being respected and complied with, by business owners, who were acting in contravention of the law. These individuals, virtually all, asked what the simplest, least costly avenue of redress would be, short of hiring a lawyer, and going through the inordinate legal expenses of enforcing their right.

My statement is an informative summary of what the law of masking is in Ontario, and elsewhere, and duplicated by various municipalities, including Toronto.

Section 2 of **Regulation 546/20** requires masking indoors **unless** the person is exempt under s.2(4) under various circumstances, wherein the pertinent provisions read:

2(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that

is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area *unless the person in the indoor area,*

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...
- (g) *has a medical condition that inhibits their ability to wear a mask or face covering;*
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area.
 - (i) to receive services that require the removal of their mask or face covering.
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) *is being reasonably accommodated in accordance with the Human Rights Code*; or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

- *Ontario Regulation 546/20*, pursuant to *The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020*, at paragraph 2(4)

Section 2(6) of **Regulation 546/20** further states:

(6) For greater certainty, it is *not necessary for a person to present evidence* to the person responsible for a business or place that they are entitled *to any of the exceptions set out in subsection (4)*.

- *Ontario Regulation 546/20*, pursuant to *The Reopening Ontario (A Flexible Response To Covid-19) Act, 2020*, at paragraph 2(6).

In addition, denial of entry, based on a medical condition, contravenes s.1 of the *Ontario Human Rights Code* as discrimination based on a disability. which sections reads:

Services

1 Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status **or disability**. R.S.O. 1990, c. H.19, s. 1; 1999, c. 6, s. 28 (1); 2001, c. 32, s. 27 (1); 2005, c. 5, s. 32 (1); 2012, c. 7, s. 1.

- *Human Rights Code, R.S.O. 1990, c. H.19, at s.1.*

In light of the above, my statement is not, and could not be, “false”, “misleading” or “otherwise bring the administration of justice into disrepute”. I await your articulated rationale for accepting Lindsay H.’s hate mail and legitimizing it in the form of a “complaint” for me to be required to respond under threat of investigation. It is respectfully submitted that Intake and Resolutions should not be so vulnerable to the temperaments and whims of random members of the public, who opine that a lawyer must not do her or his job to uphold the rule of law and defend clients, if it does not align with their own personal opinions, likes or dislikes.

With respect, what *is* “false”, “misleading” and “brings the administration of justice into disrepute” is Lindsay H.’s “hate mail” emails and the requirement that I respond formally under threat of investigation/sanction.

It is obvious from “my statement”, read together with ten minutes of analysis and research, that it is neither “false”, “misleading”, nor “brings the administration of justice into disrepute”. Therefore, the *Rules* in 4. 1-2 are not engaged by my statement.

• Rule 5.6-1

My statement does not engage Rule 5.6 (1) of the *Rules*. On the contrary, I have spent my entire career (over 31 years) trying to improve the administration of justice and encourage public respect for it and the Rule of Law. My practice consists of litigating the most difficult of cases, often successfully. These are often perceived or labelled as “controversial cases” where individual and random members of the public having erratic and vile reactions against **me** personally for simply doing my duty as a constitutional lawyer, practising according to my oath.

In practising law, in a manner that upholds Rule 5.6-1, I have, regrettably, been the recipient of hate mail and subject to personal attacks and threats to my safety and my life. This is not a new phenomenon for me. When I represented clients charged pursuant to the Security Certificate provisions of *IRPA* and/or the Terrorism provisions of the *Criminal Code* I was virulently and invidiously slandered as a “terrorist lawyer”, a “terrorist sympathizer” and even as a “terrorist” by random individual members of the public. That I “put the right of terrorists over citizens” and that I “defend citizenship of terrorists” are other examples. Those who attacked me believed in the global “war on terrorism” and that I was not entitled, as an advocate, to criticize or challenge the government’s law in my statements or pleadings on behalf of my clients. These individuals alleged that by representing my clients, and making statements regarding the racism and racial profiling my clients were subjected to as Arabs and/or Muslims, by security services, in this country and elsewhere, that I was “a threat to the public” and the “security” of Canada.

Often the hate-mail directed against me, sometimes disguised and cloaked as a “complaint”, were coloured with racial bias and prejudice, and ethnic stereotyping, not only against my racial minority clients, but also against me as their ethnic minority lawyer. This is graphically illustrated by the institutional death threat I received while representing a Canadian citizen who was detained at Guantanamo Bay on allegations of “terrorism”, wherein the “anonymous” caller demanded I cease representing “terrorists, or you a dead WOP!”

Revealingly, my non-ethnic and non-racial minority colleagues in the Bar, who also advocated on behalf of “terrorists suspects” and with whom I am well acquainted, did *not* receive the same barrage of hate mail or threats. This is not surprising given that many Royal Commissions, the SCC and the LSO have acknowledged the existence of racial and ethnic bias in the justice system and the legal profession. Racial and ethnic minority lawyers are disproportionately targeted for harsher treatment and unbridled harassment. They face discrimination within their own profession and prejudice from society and its members at large. Systemic and individual prejudice is pervasive.

It has not escaped me to consider ethnic malice as a root cause of Lindsay H’s hate mail, as was the case for the anonymous bully quoted above. I have encountered this before: “Who does this Italian lawyer think he is to challenge our Canadian laws?”. My suspicions are borne out in the current COVID context as I have received hate mail which is demeaning, reprehensible and xenophobic intended to intimidate me as an advocate. I am denominated as a: “scum lawyer”, “mob lawyer”, “mobster” – all referring to the stereotype of Italians as members of organized crime. That I “wasn’t even born in Canada”, that I am “a foreigner trying to change laws”, and that I “will never be a Canadian, except in the civic sense, and even that is questionable.”

The “letters of complaint”, emails, from Lindsay H are yet another erratic, provocative, hateful tirade against me and ethnic prejudices play a role in sending it. While I sympathise with whatever personal angst she may have with respect to the COVID pandemic, it has nothing to do with me as a lawyer. Her redress lies elsewhere.

However, what is a new phenomenon for me, is that the LSO would give credence to the hate and prejudice. Rather than defending the advocate for ethically executing his duties, I am disheartened to learn that the LSO can be used as a vehicle for attacking a lawyer doing his/her job. As the intake counsel, you failed to specify what in my “statement” drew you to conclude it engages *Rule 5.6-1* and on what basis.

• **Rule 7.5-1**

With respect to *Rule 7.5-1*, my statement is not engaged as I have not infringed my obligations to any client, the Courts, or the administration of justice. On the contrary, my statement is in furtherance of the administration of justice as it impacts the most vulnerable segments of the public, being the disabled, and it is with respect to constitutionally and quasi-constitutionally entrenched human rights. Moreover, it is in furtherance of the law as enacted by the Ontario Legislature under O. Reg. 546/20, as set out above, as well as other Provinces in their masking exemptions and under *Human Rights Codes*.

- **Rule 5.1-1: Lawyer as Advocate**

In closing, as a former elected Bencher, I completely understand your role in the Law Society's protection of the "public interest". I know that your job is not any easy one and your work-load is heavy. However, with the utmost respect, this "complaint" was not diligently, or competently vetted, examined or researched before being passed on to a member for response. Unfortunately, it could constitute institutional "rubber stamping" of hate mail and prejudice by disgruntled and random individuals. It could also encourage the proliferation of hate-mail and retaliatory vindictive "complaints" against lawyers.

For example, in the past three days it has been brought to my attention that a Defendant in an action for defamation that I filed on behalf of a client has posted similarly outrageous and vile twitter posts solely on the basis of me representing a client over an issue on which he not only disagrees, but is a named party. I attach his posts. Notwithstanding his capacity as a medical doctor these outrageous statements speak for themselves. Apart from boldly stating that I do not have a right to take certain cases, a response to his tweets labels all lawyers who take cases with which they disagree "domestic terrorists". In his tweets he specifically references you, Ms. Samantha Nasser, with your address, email and phone coordinates and pointedly encourages others to file LSO complaints against me, referring to a LSO complaint number with which I am not acquainted. I do not, and will never, accept this type of hate-mail, and neither should the Law Society. I will not tolerate being asked to respond to such hate mail in the future. I will seek redress from the Courts.

The intake process must act, in part, as a gatekeeper to sift through spurious and misdirected rantings and scandalous allegations (intended to intimidate and harass lawyers from acting as advocate), from that of legitimate complaints. This is not the first failure within the COVID litigation context. Prior to your letter of December 17, 2020, I received correspondence, also from you, regarding completely unsubstantiated and, revealingly, *anonymous* "complaints" made by "Two Butlers". I query who are (is) the "Two Butlers"?

I would remind you of Rule 5.1-1 which reads:

5.1-1 *When acting as an advocate, a lawyer shall represent the client resolutely and honourably within the limits of the law while treating the tribunal with candour, fairness, courtesy, and respect.*

And the first commentary to that Rule which reads and dictates that:

[1] Role in Adversarial Proceedings - *In adversarial proceedings, the lawyer has a duty to the client to raise fearlessly every issue, advance every argument and ask every question, however distasteful, that the lawyer thinks will help the client's case and to endeavour to obtain for the client the benefit of every remedy and defence authorized by law.* The lawyer must discharge this duty by fair and honourable means, without illegality and in a manner that is consistent with the lawyer's duty to treat the tribunal with candour, fairness, courtesy and respect and in a way that promotes the parties' right to a fair hearing in which

justice can be done. Maintaining dignity, decorum and courtesy in the courtroom is not an empty formality because, unless order is maintained, rights cannot be protected.

The LSO is tasked with protection of the public, but also of the legal profession and its members, regardless of the client or case. Rule 5.1-1 is a cornerstone for Canada's justice system. The intake counsel's job is to not only protect the public, but also protect the profession from the public's vile, unjustified, false, and scandalous attack on lawyers, which is not in concert with the "public interest". It is not in your jurisdiction and mandate to jump on the proverbial "hate bandwagon".

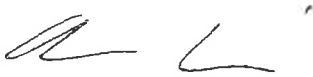
In another context, outside of a Regulatory complaint, "Lindsay H." would have been successfully sued for defamation for her comments, and not be the assumptive springboard from which to catapult an unsubstantiated query sent to me for response. Lindsay H.'s comments and complaints are unfoundedly outrageous and hateful. Yet, regrettably, you acted on them.

Given all of the above, I am entitled to an apology.

Yours very truly,

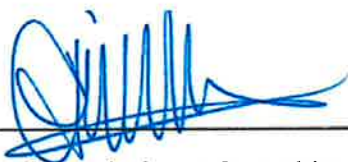
ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION

Per:

A handwritten signature in black ink, appearing to read 'R. Galati', with a stylized flourish at the end.

Rocco Galati, B.A., LL.B., LL.M.
RG*bl

This is Exhibit “^{xt}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor



June 28, 2022

To the Attention of:

Sharon Greene
Intake and Resolution Council
Law Society of Ontario

Re: Case # 2022-261151

Dear Ms. Greene:

I am responding to the complaint to the Law Society of Ontario filed by Ms. Donna Toews on May 19, 2022, against Mr. Galati.

I am the President of Vaccine Choice Canada and am responding on behalf of the Board of Directors of Vaccine Choice Canada.

Mr. Rocco Galati has been retained by Vaccine Choice Canada to provide legal counsel, opinions, advice and litigation on behalf of Vaccine Choice Canada. We have had a solicitor-client relationship with Mr. Galati since 2015.

Mr. Galati is retained by, and accountable to, the Board of Directors of Vaccine Choice Canada. Mr. Galati and the Board of Directors meet regularly to discuss matters pertinent to Vaccine Choice Canada and to our litigation efforts in Ontario.

I can confirm that Ms. Dawna Toews did make a \$1,000.00 (one thousand) donation to Vaccine Choice Canada on or about June 19, 2020 and requested that the funds be directed to our legal efforts.

On June 22, 2020 Ms. Toews requested that we add a membership to her file. Unfortunately, due to volunteer error, Dawna Toews was not registered as a member of VCC and would not have received our weekly "Choice Insider", invitations to regional and national zoom calls, and special meetings for VCC members. As a result, Ms. Toews did not receive or make payment to an annual invoice for her membership dues.

No further correspondence was received from Ms. Toews until December 20, 2021. In the December 20, 2021 email message, Ms. Toews asked – “Can you tell me if anything came of this lawsuit? Did the courts see this yet?”

A response was filed by one of our intake volunteers. The volunteer provided Ms. Toews with her personal opinion on the status of the legal proceedings. This was an error. This response was not approved by or vetted by the Board of Directors of Vaccine Choice Canada and does not represent the position of Vaccine Choice Canada.

This is the full extent of our correspondence with Ms. Toews to date.

I would like to point out that:

- a. At no time did Dawna Toews indicate that she was not receiving membership information from VCC.
- b. At no time did Dawna Toews request further updates on the legal proceedings initiated by VCC before or following her email of December 20, 2021.
- c. At no time did Dawna Toews indicate displeasure with VCC.
- d. At no time did Dawna Toews request a return of her donation.

Thus, it was a surprise to learn in the complaint filing that Ms. Donna Toews was contacted by someone involved with Kip Warner’s legal action on December 21, 2021 who stated - “Thank you for agreeing to help us help you recover your donor funds from Rocco.”

To be clear, Mr. Galati never received any donor funds directly on behalf of VCC, nor was he ever privy nor had any involvement in VCC fundraising. He has no role in VCC except as our independent legal counsel on certain matters.

It would appear Mr. Kip Warner is involved in some kind of action to recover funds donated to Vaccine Choice Canada. If this is in fact the case, it would have been more appropriate to direct the request to Vaccine Choice Canada to whom the funds were donated.

It is interesting to note that Donna Toews expressed her wish to remain anonymous in this complaint against Mr. Galati.

On behalf of the Board of Directors of Vaccine Choice Canada I wish to declare that:

- a. Mr. Galati was retained by, and acts on the instructions of the Board of Directors of Vaccine Choice Canada. Thus, Mr. Galati is accountable only to the Board of Directors of Vaccine Choice Canada.
- b. The Board of Directors and Mr. Galati meet regularly to discuss the status of the legal proceedings and our strategy.
- c. We have full confidence in Mr. Galati.

- d. Vaccine Choice Canada has no intention of revealing our legal strategy to the public, regardless whether an individual is a donor.
- e. Mr. Galati is not at liberty to disclose or violate our solicitor-client relationship either with the Law Society of Ontario or any other party.
- f. Mr. Galati is not involved in our fund raising efforts, nor has access to any information pertaining to our donors. Thus, Mr. Galati is not in a position to speak to the amount of monies raised through donations, nor in what form these monies have been received and/or spent.
- g. We have concerns as to the intentions of Mr. Warner in this matter, as well as the motives of Ms. Toews.

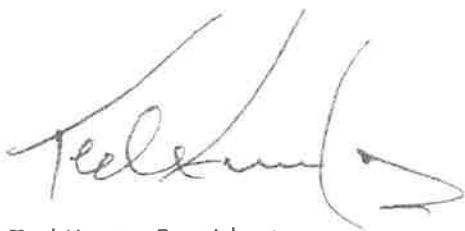
On June 17, 2021 I participated in a 90 zoom meeting with Mr. Warner and Mr. Vlad Sobolev at the request of Mr. Sobolev. In the meeting Mr. Warner made a number of statements that were incorrect about VCC's and Action4Canada's legal actions.

Mr. Warner was of the opinion that because his group had filed legal action in BC that Action4Canada could not file legal action in BC and thus, Action4Canada would be required to return all donated funds back to donors. I explained to Mr. Warner that he was mistaken in this opinion.

It appears that Mr. Warner is endeavoring to undermine confidence in the legal actions of Vaccine Choice Canada and Action4Canada, and moreover wrongfully impugn the integrity of our legal counsel Mr. Galati and his firm.

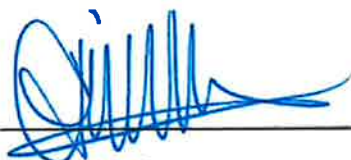
- . If you require any further information, feel free to contact me at ted@vaccinechoicecanada.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Kuntz', with a stylized flourish at the end.

Ted Kuntz, President
Vaccine Choice Canada

This is Exhibit “^{yy}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

The lawyer who challenged the Harper government and won

SEAN FINE > JUSTICE WRITER

PUBLISHED AUGUST 22, 2014

This article was published more than 8 years ago. Some information may no longer be current.



Rocco Galati

RACHEL IDZERDA/THE GLOBE AND MAIL

Wherever I've gone this year in Canada, lawyers are talking about Rocco Galati. What's Rocco going to do next? If the Prime Minister tries any funny business with the courts, Rocco will stop him. Rocco won't sit by ...

It's as if Mr. Galati, the Toronto lawyer who brought grief to the Conservative government, has been designated the Unofficial Opposition. He's the first person ever to challenge a Prime Minister's appointment of a Supreme Court judge. And he won. All the resources Stephen Harper and his government could bring to bear, and this upstart spending \$42,000 of his own money won the case. And he's not done.

an earthy wine from Friuli), at an outdoor patio on College Street in Toronto's Little Italy, just down the street from the three-storey house he has turned into an office for his small law firm.

The government never thought someone named Galati could defeat it, he says.

"They were so arrogant in assuming that an argument from me couldn't win or shouldn't win, because we live in a tribal culture. You're only an expert if you're anglo or francophone.... That's been made clear to me for 26 years. I'd put my win ratio in impossible cases up against anybody's, yet I'm still ridiculed when I bring a challenge. How does that work?"

But the real question is – why him? Why not someone else in this country of lawyers?

Mr. Galati and I have a lot to talk about. We have so much to talk about that the batteries in my tape recorder run out of juice. Mr. Galati, an amiable provocateur, goes across the street to buy me new ones.

Snazzy in a beige linen suit with a striped shirt and grey-patterned tie (only the open-toed sandals hint at non-conformity), the 55-year-old comes from a world far from Ottawa's Wellington Street, where the Supreme Court and the Parliament buildings sit in a majestic row. He and his 12 siblings were born in Calabria, in southern Italy. Five of them died in early childhood. His father, a farmer, was court-martialled twice and interned because he didn't want to fight in Mussolini's army.

"He always told me the fascists don't come marching in overnight. It's a slow march."

His father came to Toronto in 1965, found work in construction, and brought the family over a year later. Only three of the children received any formal education, Mr. Galati says. But that includes a brother who, though he had only two years of public schooling, went to the University of Toronto as a mature student and became a lawyer.

"Because of my sense of history, I don't like the idea of injustice. Growing up in Toronto was no picnic in the sixties and seventies. It was a very brutal, racist environment. The police were enforcing wartime regulations. On College Street, up until Trudeau rewrote the loitering laws, more than two Italian males could not congregate. They'd get billy-sticked home by the police."

Although he is Catholic, he says his family was Jewish, on both sides, at one time. (When I first met him at his office, he showed me his late grandfather's Argentine identification document from 1918, framed on the wall. It has a Star of David on it.) He says most people don't realize how many Jews (and Muslims) used to live in Calabria, or about the violence used to kill or convert them in previous centuries. It's a recurrent theme of his – the loss of historical memory.

intellectually handicapped, and it was only through the efforts of an English teacher at his technical high school, who recognized his perceptiveness in Shakespeare studies, that he was able to go to an academic school for Grade 13.

Bob Dylan saved him from life as an electroplater. He quit his job to move to Montreal to learn to read the poet Arthur Rimbaud in French; he came to Rimbaud knowing that he had influenced Bob Dylan.

"He was not very popular in his early years. That was to my liking – this guy stands on what he believes."

Once again, his future (and Canada's) was altered by the kindness of a teacher. He enrolled in non-credit courses in poetry at McGill University, and a teacher told him he'd written a publishable poem, and saw to it that McGill accept him as a full-time student. Despite an A- average, journalism schools and teachers' colleges rejected him – he still wonders if it was because of his name.

At York University's Osgoode Hall Law School in Toronto, he learned that his love of Bob Dylan stood him in good stead: Constitutional law was like poetry.

"I had a professor at Osgoode, a very bright man, Graham Parker, who I took courses on statutory interpretation from. He said to me, 'Do you read or write poetry?' I said, 'Yeah, I do both.' He said, 'I can tell. Reading statutes is as difficult as reading poetry.'"

He started his law career by working for – of all places – the federal Justice Department. "It seemed the best place for me to get to court frequently." But he owed \$122,000 in bank and student loans, and the interest rate was 22 per cent; his salary was \$29,000. If not for his financial need, "I might have stayed, because I enjoyed the kind of law they did."

On Sept. 30 last year, Prime Minister Stephen Harper announced his choice for a Quebec vacancy on the Supreme Court: Justice Marc Nadon of the Federal Court of Appeal. It was an unusual choice in several respects: He was semi-retired; he was a maritime law specialist (hardly a big need on the court); and he was little-known.

The Canadian legal community raised hardly a peep.

But in early October, Mr. Galati stepped in. He filed a lawsuit in Federal Court, saying the choice was illegal under the Supreme Court Act, which governs appointments. Federal Court judges can't be appointed for any of the three spots reserved for Quebec judges, he said.

There was nothing personal in it, he says.

judge. I got along with him. That's not the point. If it was my father, I would have brought the challenge."

Justice Nadon immediately stepped aside, pending a resolution of Mr. Galati's lawsuit. Then, Quebec's National Assembly passed a unanimous resolution opposing the appointment. Prime Minister Harper then asked the Supreme Court to rule on whether it was legal.

So why didn't anyone else challenge the appointment? "Look," Mr. Galati says, "there are about 300,000 lawyers in Canada. I think 299,995 think they're all going to the Supreme Court and they don't want to blow their chances. They're worried about their reputation."

Few thought he had a chance to win. "Most people in the legal establishment thought his case was frivolous," University of Montreal law professor Paul Daly says.

Fighting the odds is nothing new for Mr. Galati. Early in his career he argued 27 separate times in Federal Court that government officials need to provide reasons for their decisions. Finally, in *Baker v. Canada*, a 1999 deportation case on which he was co-counsel with Roger Rowe, representing a Jamaican immigrant mother, he won his point at the Supreme Court.

"It was epoch-making," Prof. Daly said. "Your liberty and sometimes your life are really in the hands of a government official. Because of *Baker*, the government has to give reasons for finding against you."

In the Nadon case, he had a secret advantage: he knew the Supreme Court Act inside and out from another improbable case.

Four years ago, he learned that a judge hearing a constitutional challenge of his was 77 – two years past retirement age – and that the chief justice could appoint a retired "deputy judge" if he needed someone to hear a case. The Federal Court had followed the practice since its creation in 1970, and a predecessor court since 1927. In 80 years, no one had challenged the practice. Mr. Galati did, in *Felipa v. Canada*, and won.

We are having a good laugh. In an earlier story, I somehow managed to slip his quote about the Harper government enjoying "urinating on the Constitution" past my editors. "I say that all the time," he tells me. "You're the first guy who put that in."

It is hard to say what is more fun to talk to Mr. Galati about – the personal or political. He's what my mother would call *a character*. His cellphone voice mail is a Miranda warning: "If you're anyone else except Miranda, please do not leave a message." Miranda is his daughter who is away at university in

from his first.)

Few outside of legal circles realize the lasting importance of the Nadon case. The Supreme Court gave itself the protection of the Constitution; from here on in, any changes to its composition will require provincial consent. On Mr. Galati's back, the court insulated itself from tampering.

Although he calls that "a big win," he still describes the ruling as a disappointment. "The way they politically split it is inconsistent and illogical." (The court said Federal Court judges can be named to the six non-Quebec spots on the Supreme Court.)

It's news to him that lawyers everywhere are talking about him. "That's strange," he says. The case hasn't changed his life, "except taking away time from my family and from my billable hours."

He makes his money from doing tax law, not constitutional cases.

And now he has launched a challenge to another of the Harper government's judicial appointments – that of Federal Court of Appeal Justice Robert Mainville to the Quebec Court of Appeal, and any subsequent appointment to the Supreme Court.

"The other thing I hear – 'You won the Nadon reference, but that's because nobody likes Nadon; everyone likes Mainville.' What kind of kindergarten debate is that, really? That's just stupid. Liking or not liking has nothing to do with it."

Rain has begun to fall, more on me than on him. Mr. Galati is in fine form, still going strong after two hours, the tuna long since finished. It is a good thing he picked up those batteries.

"I hear, 'Mr. Justice Mainville wanted a transfer to Montreal for personal reasons.' I sympathize. Are they going to bend the Constitution for me? Should we bend the Constitution for any individual? Well, no. If we do, we're back into *l'état, c'est moi*. We're back to the divine right of kings, Louis XIV and the Versailles culture.

"This is why stacking of the courts is a very serious concern. There's only one difference between a dictatorship and a constitutional monarchy: a fair and independent judiciary standing between the authority of the state and the rights of the citizen."

I tell him I need to pay him for the batteries so no one can accuse me of anything. I give him \$5.

"Yeah, okay," he says. "I'm going to give you \$1.50 back because as a lawyer I won't be bribed either." And he does.

Rocco Galati on the business of law:

"If I go broke, I'm no good to anybody. A lot of good lawyers who do a lot of good work lose sight of the business side and they go under."

On the source of his sharp tongue:

"It comes from my mother. She had a great, quick wit and was very quick with a metaphor. Everything that came out of her mouth was original and often funny."

On his previous work representing suspected terrorists:

I saw it as *the* civil rights issue of the day."

On his chances of winning his challenge, filed in Federal Court, to the appointment of Federal Court of Appeal Justice Robert Mainville to the Quebec Court of Appeal:

"The Federal Court, because they're human beings, is going to be resistant to the idea because he's one of their own. You know that beautiful line in *O Brother, Where Art Thou?* where the evil sheriff is the personification of the devil, and says 'The law is a *human* institution?' Therein lies the historic, ageless tension between the rule of law and human capriciousness and tribal impulses."

On whether the Supreme Court will grant leave to appeal, if the Mainville case goes that far:

"What's in it for the Supreme Court at this point? Nothing, they've constitutionalized their status. Will they care about one judge? Maybe not. There are a lot of variables that have nothing to do with the law, but with human frailties and dysfunction and a non-adherence to the idea of law."

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This is Exhibit “²²” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

2:15 AM



Raoul Emile

12h · 👤

FYI ... Rocco's case is kicked out, just as what Kip Warner and many people predicted.

Action4Canada is being sued.

BC Lawsuit Update:

Crown filed their reply on 14 October, 2021, to Rocco Galati's BC lawsuit.

This document was retrieved directly from the court registry because it doesn't appear to be published anywhere.

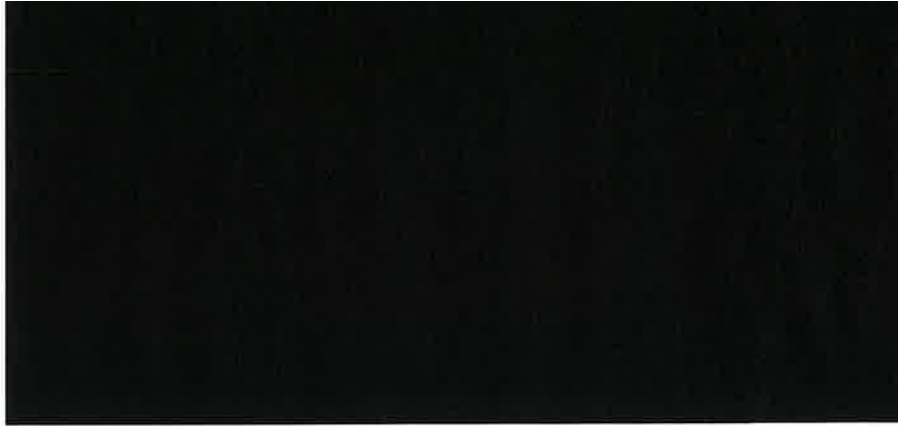
The Crown's defence is that the lawsuit is not compliant with the rules of court in being prolix (too long), unnecessary, frivolous, vexatious, an abuse of process, and Crown is seeking costs against the plaintiffs.

Here it is:

file:///var/mobile/Library/SMS/Attachments/97/07/
CF3574CE-38EA-44B7-
A36D-51D10D9E0A85/2021-10-14_-
_Response_to_Civil_Claim.pdf



35 Comm. [≡]



Vladislav Freedom

**This is Who Tanya Gaw &
"number1" RG have been
bushing non stop ...**

#TruthAlwaysPrevails

**#EliteFreedomClub is going
down like I said before ¹⁰⁰ !!**

BRITISH COLUMBIA
SUPERIOR COURT OF JUSTICE
VICTORIA REGISTRY

No. V.C. 8.5.18112
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between:
Karl Smith, 1st, 2nd, and 3rd Defendants

and
Karl Smith

Plaintiff

Defendant

CERTIFICATE OF COSTS

1. The amount of the costs is \$142,767.86.

2. The following assessment:

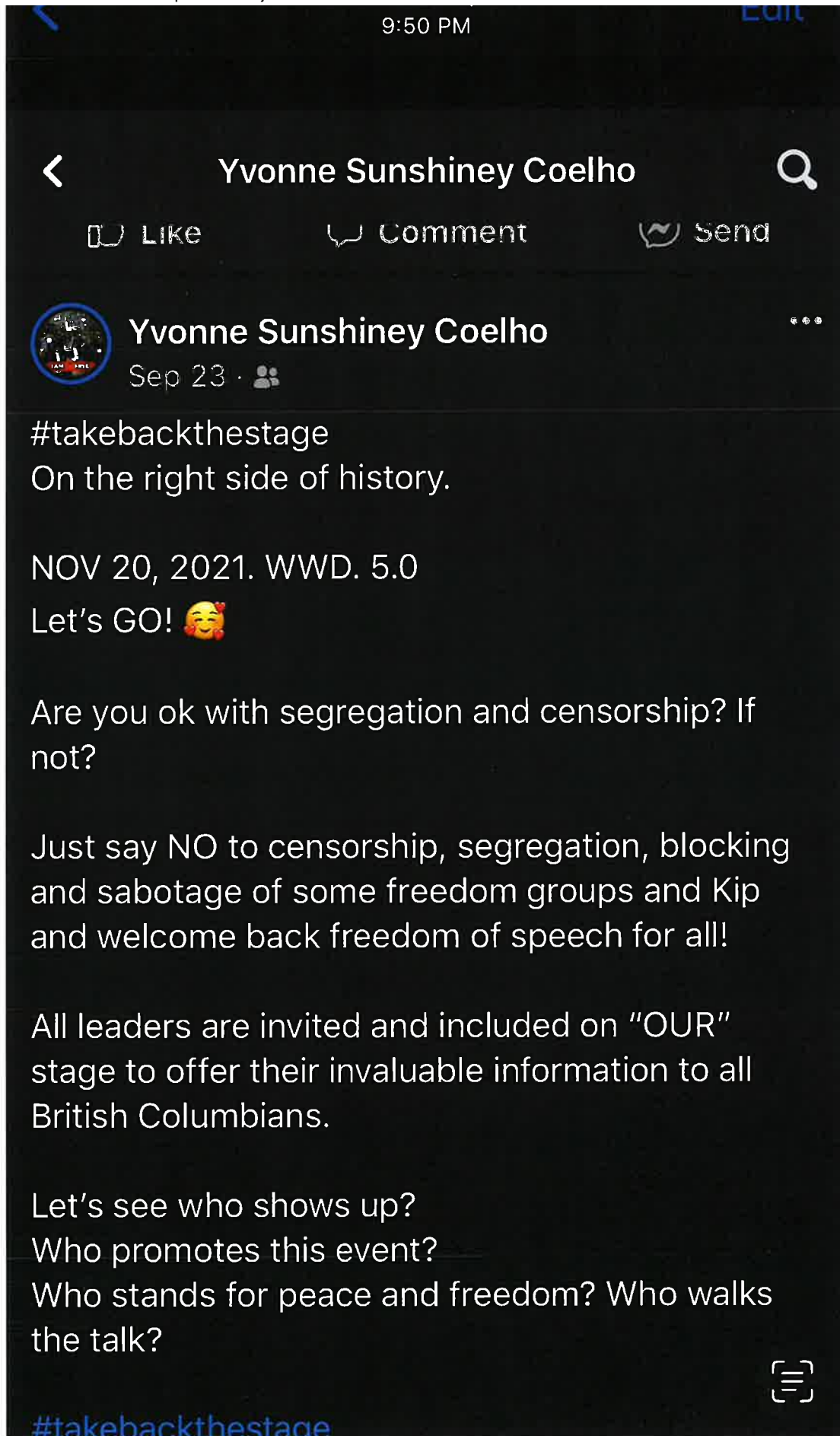
Not on November 13, 2020 the costs of the defendant, Karl Smith, have been assessed against the plaintiff, Karl Smith, 1st, 2nd, and 3rd Defendants, in the amount of \$142,767.86.

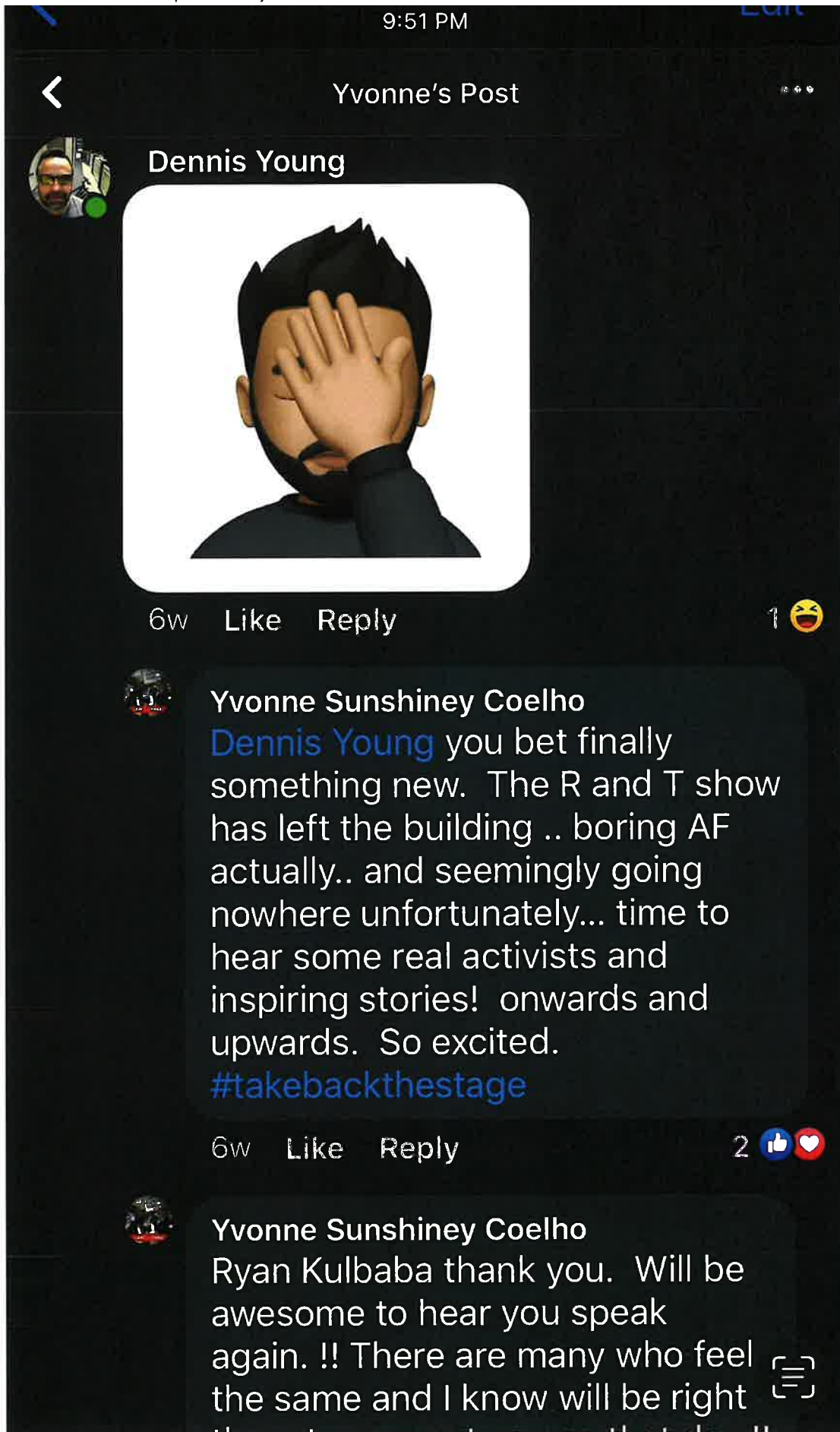
Dated: November 13, 2020

[Signature]

1m Like Reply







12:57 PM



Vladislav Sobolev is 🙄 feeling determined with **Yvonne Sunshiney Coelho** and **97 others**.

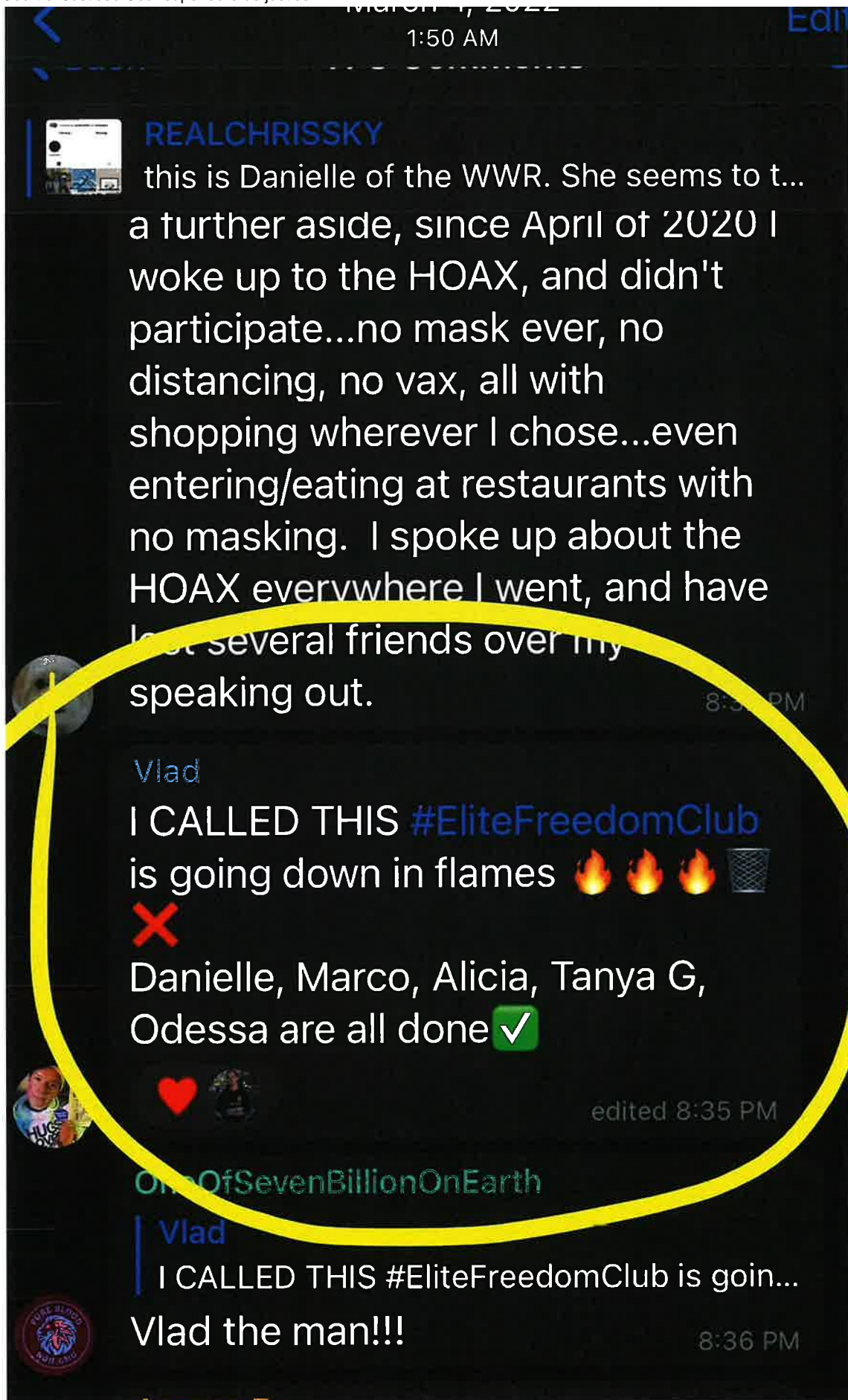
10m · 🌐

VANCOUVER WWR DOES NOT 🔥 BELONG TO **Danielle Alicia Tanya @Odessa #DATO** - ITS 🍁 FREEDOM MOVEMENT 🍁 FOR ALL THE PEOPLE 🍁 AND EVERYTHING AVAILABLE & GOING ON MUST BE DISCUSSED & PRESENTED TO THE PEOPLE - what we have NOW are selected same speakers pushing same over & over again - and legitimate BC lawsuit www.sueBonnie.ca has been censored & all my initiatives & **Chris Sky** 🍁 UNITED NON COMPLIANCE 🍁 message are heavily censored - so if you can't see the same actions we are opposing from GUV & elites - WE HAVE WITHIN OUR OWN FREEDOM MOVEMENT - that's on you - so that's why we are exposing all these & taking stand **#FreedomWontBeTrademarked #EliteFreedomClub** WON'T BE TOLERATED NOT ON MY & MANY OTHERS WATCH **#SmallMobOverElites** OUT & WITHIN **#FreedomIsEssential #DavidOverGoliath**



**Canadian Society for the
Advancement of Science**







 Sharer

Yvonne Sunshiney Coelho

Been doing what I could to expose since JULY 2021 Starting with a few questions re Rocco. Then standing up to censorship and division from FRW since sept 2021.

3d Like Reply

2  



Corrina Conlan

Yeah. .ego's

3d Like Reply

1 



Brian Paul

[Corrina](#), yeah we all have egos but its when they inflate, they can cloud judgement.

3d Like Reply

1 



Write a reply...



Don Smith

Yvonne i am control op wow I'll see ya tommorrow

3d Like Reply

1 



 Sharer

Yvonne Sunshiney Coelho

They block everyone.

3d Like Reply





Sharer

Yvonne Sunshiney Coelho

Where they kept some ... they kept more
All cash zero transparency You know it.

3d Like Reply

1



James Davison

Monica spoke there with you you did
great

3d Like Reply

1



Sharer

Yvonne Sunshiney Coelho

Brian was 1 million collected for Rocco's
bc case

3d Like Reply



Brian Paul

[Yvonne](#), my guestimate is there has
been a million dollars raised in BC
over the past two years all round yet
we are no where.....my understanding
is it was the 400K to get it started and
then who knows how much else has
been paid?.....Ive also seen other
organizations with billings to Rocco
with little or no leger or details? Like
nearly 10K....

3d Like Reply

3



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Brian's post



Raoul Emile

Birds of a feather flock together. It's no accident that all these people are so closely aligned.

1d Like Reply

2



Meleny Carnduff

Thank you for your transparency. I had been wondering about these ladies and you just confirmed. Actions speak louder than words.

1d Like Reply

4



Sharer

Yvonne Sunshiney Coelho

[Meleny Carnduff](#) they do not promote others, they don't show up at other events unless they are huge events where they can promote themselves or collect Funds , they stole the WWR and made it their own platform for perceived fame and collection of donations , while censoring and blocking or dismissing most boots on the ground groups , they are NoT inclusive , anti non compliance, go to every extreme to block all freedom groups from speaking at OUR WWR's for a year. They harass and intimidate people to not show up at our events , did not OnCE promote www.suebonnie.ca at a WWR so as



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Brian's post



www.suebonnie.ca at a WWR so as not to divert the donations from the dead end Rocco BC case.... See more



Canadian Soci
Advancement
Public Policy

CSASPP

covidconstitutionalchallengebc.ca

1d Like Reply

2 🙄 😡



Meleny Carnduff

[Yvonne Sunshiney Coelho](#) yes it's all very sad. Fortunately we live in an existence where, "what goes around comes around!" Karma brings lessons with her 😊

1d Like Reply

2 👍



Phalange and 34 others.

3d · 🌐



Sandy Nightingale

What's up with Rocco? What side is he on

2d Like Reply



👤 Sharer

Yvonne Sunshiney Coelho

[Sandy Nightingale](#) controlled op ??
millions of dollars, filed and nothing
else. The cases are dead. And sadly
the BC one may be dismissed shortly..
Im also a donor.

2d Like Reply

2 🍌 🤔



Holly Schick Beune

These are all truths that we've all
been aware of for a long time. I'm
thankful for your integrity and
courage to speak out against these
fraudulent and ill intentioned
individuals who seem to spread
underlying poison rather than love.
The jig is up!

1d Like Reply

3 🍌 ❤️ 🤔



👤 Sharer

Yvonne Sunshiney Coelho

[Holly Schick Beune](#) finally

1d Like Reply

1 🍌



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Vladislav Freedom



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Vladislav Sobolev is with James Loewen and 90 others.



Feb 28 · 🌐



188

70 comments 19 shares



Like



Comment



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Richelle Feniak is with Mark Friesen and 96 others.



Feb 28 · 👥



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Vladislav's post



FRI, MAR 3

Meet & Greet in London

INTERESTED

Causes · 106 people

6d Like Reply

5



Guylaine Gervais

I still had hope for Rocco... 🙄

1w Like Reply

4



✍ Author

Vladislav Sobolev

Guylaine Gervais unfortunately Pierre would grow some balls 🏀 before Rocco gets anything done... and both are destroying any chance for us to win ...

1w Like Reply

9



Michael Duboy

Vladislav Sobolev What happened to Rocco? I know he got really sick and then I haven't heard much after that.

1w Like Reply



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Vladislav's post



in London



Causes · 106 p...

6d Like Reply

5



Guylaine Gervais

I still had hope for Rocco...



1w Like Reply

4



Author

Vladislav Sobolev

Guylaine Gervais

unfortunately Pierre
would grow some balls
 before Rocco gets
anything done... and
both are destroying any
chance for us to win ...

1w Like Reply

9



Write a comme...



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Vladislav's post



STAND OUR GROUND

6d Like Reply

7  



Ruta Volkovskis

Rocco? What happened?
Interesting, but from the
beginning I felt he may not
be on our side.

1w Like Reply

7  



Ava Magyar replied · 2 replies



Cindy Dunstan Bamford

I think the only way to fight
this is from within. People
need to get involved in all
levels of government.

6d Like Reply



Simone Cordice



Write a comme...   



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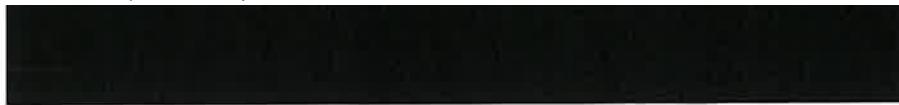


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Vladislav's post



Renee Fern

I am so glad I am not the only one who thinks Rocco is a clown.... I knew that guy was sketchy from the get go

6d Like Reply

5  



Julia Spektor

doent look like there is s light at the end of this tunnel lol

6d Like Reply



Crista Fasano replied · 1 reply



Ian Eastwood



Write a comme...



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Vladislav's post



Peter Smith

Why is Rocco a clown? I
thought he was on our side.

3d Like Reply



Oxana Green

[https://
www.instagram.com/reel/
CpOUQFmpQqg/?igshid=](https://www.instagram.com/reel/CpOUQFmpQqg/?igshid=)

**Kat Kanada on
Instagram: "Oh reall...
instagram.com**

6d Like Reply



Dejan Kasic

If you mean Rocco Galatti...
I watched video recently.
He was very sick,
hospitalized and woke up



Write a comme...   



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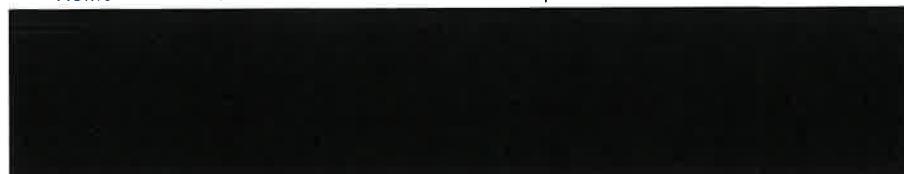
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Vladislav's post



Dejan Kasic

If you mean Rocco Galatti...
I watched video recently.
He was very sick,
hospitalized and woke up
paralyzed after induced
coma they put him into
without his consent. Long
story...

6d Like Reply



Sherry McCallum

Rocco? What did I miss

6d Like Reply



Alexander Zorin

Bernier rules

6d Like Reply



Write a comment...   



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Vladislav's post



Pass Case Struck...

canucklaw.ca

1w Like Reply

4



Judy Grodsworth

Ruta Volkovskis Well we

certainly know the
courts are ALL
comprised and the
lawyers are part of the
corrupt system working
for the crown and not for
the people so ... I rest my
case!!!

6d Like Reply



Write a reply...



James Findlay

Yen Ukraine beina



Write a comme...



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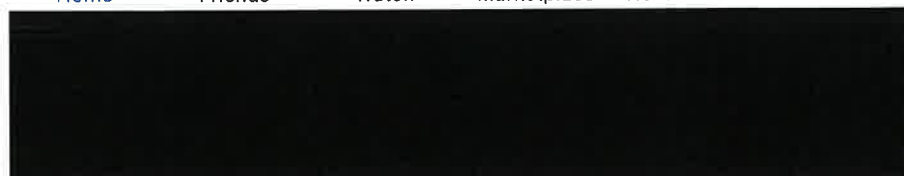
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Kimberly Marie Brundell



Aug 30, 2022 · 🌐



Rob Carmichael

All of you armchair constitutional law experts really need to just shut the fuck up and let this take it's course. Do you not have the capacity to realize we went through tyranny never before seen in this country? This fight is new to even the best constitutional expert in Canada. Love to see you idiots do better. You people are no better than those that have opposed us in this movement with your disgusting vitriol.

27w Like Reply



Kimberly Marie Brundell

[Rob Carmichael](#) "tyranny never seen before". So they never taught in you in school about residential schools, the internment of Slavic Canadians during WWI, the internment of Japanese Canadians during WWII, and the 60's scoop of indigenous children.

27w Like Reply

1



Kimberly Marie Brundell

[Rob Carmichael](#) also Canada's "Top Constitutional Lawyer" actually practices tax law.

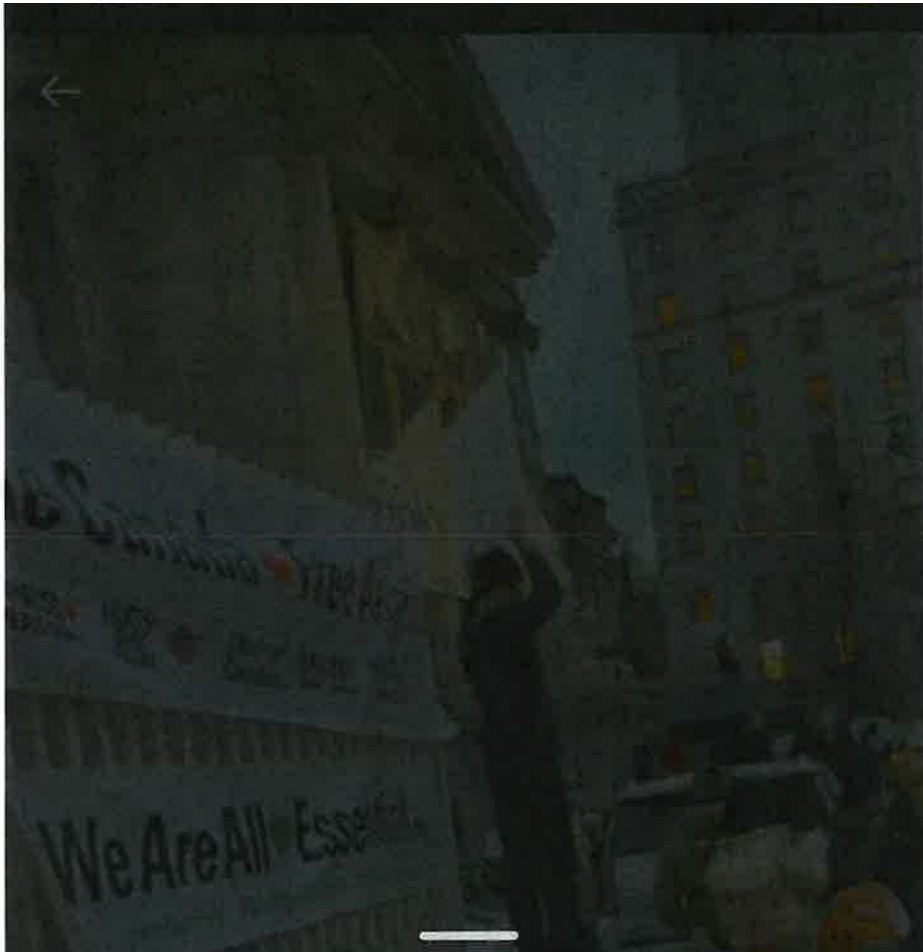
27w Like Reply



2











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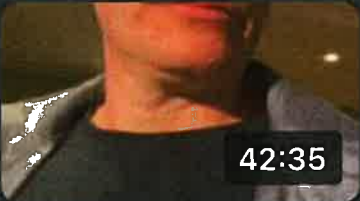
 **Vladislav Sobolev** was live.
November 20, 2021 · 

 **SHARE**  **#FreedomWontBeTrademarked** 
#FreedomIsEssential #MakeCanadaFreeAgain 




  Not intimidated by antifa, corrupt judges,
politicians, police or court sheriffs - few lost / confused
souls within Freedom Movement won't be the start  
#DavidOverGoliath #smallmoboverelites
#coachvlad

  158 220 comments 104 shares 1.5K views

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42:35

Vladislav Sobolev
   162

Vladislav Sobolev

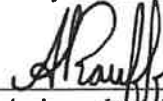
This is Exhibit “^{AAA}” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

[REDACTED]

This is Exhibit "A" referred to in the affidavit of
Federico Fuoco affirmed before me
electronically on January 30, 2023



A commissioner for taking affidavits
Amani Rauff, LSO No. 78111C

From: Federico Fuoco <federico@telus.net>
Date: August 15, 2021 at 6:27:16 PM PDT
To: rocco@idirect.com
Cc: Federico Fuoco <federico@telus.net>
Subject: Fire Productions Ltd. and F2 Productions Inc

Hi Rocco,

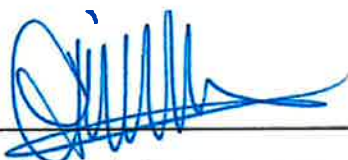
As discussed in our conversation, I am instructing you to name Fire
Productions Ltd. and F2 Productions Inc. as plaintiffs in the action and I
further confirm that I am the sole shareholder and director of these
corporations.

Thank you,

Federico Fuoco

Sent from my iPhone

This is Exhibit “⁸⁸⁸” to the Affidavit of
Rocco Galati, sworn before me
this 14th day of March 2023

A handwritten signature in blue ink, appearing to be 'Amina Sherazee', written over a horizontal line.

A Commissioner for Taking Affidavits
Amina Sherazee, Barrister and Solicitor

Plaintiff: Federico Fuoco Business Closure

Address:
2590 East 8th Ave
Vancouver BC V5M 1W2

Email: federico@telus.net

Phone#: 604 715-3473

My name is Federico Fuoco and I opened up an Italian restaurant in the heart of Little Italy in Vancouver, called Federico's Supper Club, back in December 1998. It was a successful and classic dine and dance restaurant. Unfortunately, due to Covid, and the ensuing government restrictions, which made it literally impossible to stay in business and keep it viable, I permanently closed Federico's Supper Club by the end of March 2020, after 21 and a half years in business.

It was sad and devastating, not only for me, but for all the staff and customers that became a second family to me - staff that lost their livelihoods, basically overnight, by government, ill advised shutdowns that forced some businesses to close and others deemed "essential" and allowed to stay open, like "liquor stores." The inconsistencies and irrational policies of all levels of government have caused irreparable damage and a trickle down effect to the service sector, musicians, all facets of the entertainment industry, tourism, suppliers, etc., not to mention the financial ruin of families and the deleterious effect on their well-being.

It is unconscionable how many people have been unnecessarily ruined by the actions of inept government policies, and without meaningful consultation with the businesses affected by their inexplicable shutdowns. In fact, **I own another food service business called Gusto in Olympic Village in Vancouver**, and the restrictive government measures are making it very difficult to stay afloat. Everything from limited seating to mask mandates have caused a dip in my sales in the last four weeks. Government agencies like WCB and Vancouver Coastal Health have become harassers when they come to Gusto or call me after each anonymous Covid-shamer's complaint. It's disgusting and it's gone too far.

For example, one of the restrictions is alcohol service has to end at 10:00 pm. I guess the virus knows how to tell time and that it will infect people after 10:00 pm, not before.

Another ridiculous mandate is that people have to wear masks in a restaurant if they're standing, when walking to a table and when walking to a restroom, but when sitting down, the masks can come off. I guess the virus can distinguish between people sitting down and those standing up.

Another example of insane government policies is that you can only seat up to six people at a table. I guess the virus can count and if there are seven people at a table then it can attack, and it can also distinguish whether or not the people at the table are related.

I can go on and on with government irregularities and inconsistencies, like Doctors Henry and Tam adamantly insisting that masks don't work and aren't sanitary, to all of a sudden making them mandatory! Even the fact that one of the main doctors at Vancouver Coastal admitted to me on September 19, 2020 that there are at least 20% false positives when they conduct Covid tests. I believe that number is even higher, but the fact that she admitted to me that there are false positives was a huge admission.

An even more significant admission of government policy failure, in dealing with the so-called Covid pandemic, was made by Dr. Bonnie Henry on November 29, 2020 when she said, (after a rise in cases),..."this means that things that were safe, using the guidelines that we have developed over the last 10 months, are no longer in that safe zone." In other words, nothing that she and the government have implemented in the last 10 months has worked. They caused and continue to cause so much pain and devastation for businesses, not to mention the pain and suffering they're inflicting on families that can't see their loved ones in care homes, etc.

These government officials need to be held accountable for their destructive policies and their ineptitude. I

will do whatever I can and be of any help to bring these so called "experts" and government officials to account.

Thank you,

Federico Fuoco

Plaintiff – Federico Fuoco Additional Information - Restaurant Closure

April 7, 2021

Address:
2590 East 8th Ave
Vancouver BC V5M 1W2

Email: federico@telus.net

Phone#: 604 715-3473

On March 29, 2021 BC's Health Officer, Bonnie Henry, announced that all restaurants must close their indoor services effective midnight next day, March 30, 2021. Take-out and outdoor services would be "permitted". This announcement was made without consulting restaurateurs, without any prior warning, without any transparency on presenting evidence and proof that restaurants were the cause of any outbreaks. The utter disrespect and lack of courtesy for the restaurant industry by the Government and Health Officer, especially in light of the same tactic of last-minute decision on cutting liquor service after 8:00 pm on New Year's Eve, is astounding and insulting. Restaurant owners had spent thousands of dollars on food in preparation for the upcoming Easter long weekend celebrations. Gusto Restaurant was one affected by this decision.

Henry's announcement created a response of overwhelming emotion, as I had already lost one restaurant due to last year's lockdowns. I was filled with concern for my staff and the injustice and inequity of it all. My initial response was to stay open and not comply with the Order because I had done everything the government had asked in the previous health order...masks, plexiglass, social distancing, hand sanitizer, and limited seating. And in the end...for what? Only to be told that I would need to shut down indoor dining for 3 weeks because the PHO claimed that restaurants were the cause of spreading the virus. Not Costco, not the liquor stores, not Walmart, not shopping malls...but restaurants. There is no evidence to support Henry's claims, and yet restaurants are being given no recourse other than to comply or be shut down.

I briefly challenged the Orders only to be swiftly met with a Business Closure Order from Vancouver Coastal Health on Thursday April 1, 2021, around 5:49 pm. The Closure order was given, even though I only had two people drinking tea indoors. Instead of giving me a warning, the health inspector (Greg Adamson) gave me a harsh Closure Order.

I then decided to comply with the Draconian "circuit breaker" Order and not allow indoor dining. I was closed on Good Friday, as I do every year in observance of the reverent day. I opened on Saturday April 3, 2021, complying with the latest health Order, but in contravention of the Closure Order.

I closed on Easter Sunday, again in observance of the Holy Day. At 1:00 am Monday April 5, 2021, a City inspector duct taped a Business Licence Suspension, along with the Closure Order, on my front glass door of Gusto. The business licence suspension is in effect until at least April 20, 2021.

The next day, Tuesday April 6, 2021, I received a Liquor Licence suspension, because, "an establishment cannot have a liquor licence without a valid business licence in place."

These disproportionate and extreme measures were placed on my establishment, even though I hold valid business and liquor licences that I've paid thousands for the year. I asked the Vancouver Chief Licence inspector, Kathryn Holm, on Tuesday April 6, 2021, if the suspension could be reduced and allow me to open before April 20th, and she flatly refused. In fact, she said that she could arbitrarily extend the suspension indefinitely. She said that only City Council can override her decision. How does one bureaucrat wield so much power?

I have always put the safety and well-being of my staff and customers first, but I also believe it is important to expose the inequity and inconsistency of an Order which severely penalizes one group while making

irrational exemptions for others, such as BC Ferries' indoor dining remaining open, indoor wine tasting at wineries (which Bonnie Henry is an investor in 'Clos Du Soleil Winery' – "conflict of interest"), as well as completely enclosed patios. The discrepancies, inconsistencies and sheer hypocrisy of the latest Order are unjust!

This will be the final nail in the coffin for many restaurants who are hanging on by a thread.

I have a small patio area, but restaurants without patio space will likely not make it through this.

What can be done about the harsh and unfair treatment that I am getting by the provincial politicians like Solicitor General Mike Farnworth and Adrian Dix, bureaucrat Bonnie Henry, Vancouver mayor Kennedy Stewart and bureaucrats Kathryn Holm and Greg Adamson? How can we hold these people to account for going after small businesses, like mine, in order to fulfil a vendetta and make an example of me, to others, who would dare question their irrational, unjust and Draconian health orders without any science, proof, and evidence to back them up?

Public officials should serve the public not rule the public!

Please let me know if you have any questions.

Thank you,

Federico

TAB 3

Court File No. CV-22-683322-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

ROCCO GALATI

Plaintiff

- and -

**DONNA TOEWS (AKA “DAWNA TOEWS”), KIPLING WARNER, CANADIAN
SOCIETY FOR THE ADVANCEMENT OF SCIENCE AND PUBLIC POLICY
 (“CSAPP”), DEE GANDHI, JANES AND JOHNS DOE**

Defendants

AFFIDAVIT

I, TANYA GAW, of the City of Surrey, in the province of British Columbia, HEREBY SWEAR

AND SAY AS FOLLOWS:

1. I reside in the City of Surrey, British Columbia with my elderly mother, who is in my care.
2. In August of 2019 I founded “Action4Canada”, a grassroots organization centred in British Columbia. The activities of Action4Canada are in direct response to government legislation that undermines Canada’s *Constitution*, including the *Charter*, and Canadian democratic institutions and values.
3. I am the President of Action4Canada.
4. Action4Canada is one of the plaintiffs in a Constitutional challenge (Civil Litigation) against the BC and Federal Government.
5. Mr. Rocco Galati is representing Action4Canada and other Plaintiffs in this Constitutional challenge on a fee for service basis.

6. In a complaint to the Law Society of Ontario against Mr. Galati, Ms. Toews made a claim that \$3.5 million dollars has been raised and questions the management of the funds. However, I have no knowledge of such funds being raised. She gives no source nor particulars for this assertion.
7. Rocco's rate was in line with multiple other quotes I received when we were sourcing a lawyer for a Constitutional challenge in 2020.
8. Rocco made no representation to donors on behalf of Action4Canada and I object to anyone providing third parties with Action4Canada's private information. This includes the Law Society. In my view, the solicitor-client privilege is a sacred agreement which cannot be violated. To be clear, I do **not** waive my, or Action4Canada's solicitor-client privilege with respect to this motion nor my affidavit
9. Mr. Galati acts under the instruction of Action4Canada's board.
10. Mr. Galati has no role in Action4Canada except to act as independent legal counsel for us. He is not privy to our fundraising efforts, how much monies are collected, from whom, nor how any of these monies are spent. He is paid by Action4Canada on a fee for legal service basis. He does not engage with nor make any representations to our donors.
11. Kipling ("Kip") Warner has a history of attempting to create doubt about the integrity of Action4Canada's case and has consistently made defamatory and libelous statements publicly, on social media, and to Independent reporters, about Mr. Galati, myself and Action4Canada. Mr. Warner's actions have caused fear, uncertainty, and a lack of confidence in the legitimacy of our case and the ability of Rocco Galati to oversee our case. Mr. Warner has interfered with Action4Canada's economic interest and our legal representation. All his accusations are vile, untrue, and malicious. Moreover, they relate

to matters which are none of his business. Needless to say, Mr. Warner has no role or involvement with Action4Canada.

- **Response to Affidavit of Kip Warner**

12. As a result of Mr. Warner's actions, Action4Canada experienced backlash from multiple individuals and attacks online against me personally and our organization. This made me feel unsafe. This included from supporters, after they got wind of the slander and defamation purported by Kipling Warner, at rallies, online, as well chats and zooms. For example, attached as "Exhibit A" is an e-mail in which a supporter states that Mr. Galati "is being renamed Rocco the gangster Galatti [sic]", as opposed to "Kip who is moving forward for less money".
13. Mr. Warner's intent is to have people donate to his case and cause while wrongfully calling into question the expertise, competence, and integrity of our legal counsel Mr. Galati, and the merits of our case. He has no business or right to do so.
14. We have every confidence in Mr. Galati's expertise, competence, and integrity and loudly object to the attempts by Ms. Toews, Mr. Warner (and Mr. Vlavislad Sobolev even though he is not a Defendant), to undermine our solicitor-client relationship with our legal counsel, and attack me and Action4Canada.
15. Mr. Warner's actions are vexatious, unfounded and intended to unjustifiably harm Mr. Galati and to harm Action4Canada. The Law Society complaint Kip Warner encouraged and assisted Ms. Toews, in making is completely baseless and unfounded. I have personally been informed that Mr. Warner has spoken to several individuals and stated that he wants to see Rocco's clients fire him, have him criminally charged, and disbarred. For what? I have no clue.

16. Mr. Warner has referred, publicly, and in this affidavit, to myself and Vaccine Choice Canada, and anyone he connects, in his own thinking, with Mr. Galati, as “Galati affiliates”. He in turn refers to Action4Canada and Vaccine Choice Canada as “funding arms” for Mr. Galati. I take extreme offence to this, Mr. Galati is our lawyer and we are his clients. We are not his “funding arms”. Furthermore, Action4Canada was established in 2019 and its activities have, and continue to be on various issues and initiatives, and not restricted to a single case of COVID-19 measures litigation in British Columbia. We have 100 chapters across Canada.
17. Both Mr. Kip Warner as well as Vladislav Sobolev, who is a very close associate of Kip Warner in British Columbia, and who has actively and publicly raised money for Kip Warner, have been on a defamatory and insidious public campaign, both at rallies, and on social media, and on zoom and chat groups to defame, malign and baselessly discredit both Mr. Galati and myself and Action4Canada, which has also included some of their inner circle and supporters such as Yvonne Coelho who have both harassed me and Action4Canada.
18. While Kip Warner pretends, in his affidavit, that Yvonne Coelho is just an acquaintance, I am advised by others, and verily believe, that she is she is a close friend to Mr. Warner. Although I do not know how long Donna Toews has been working with Kip Warner and Vladislav Sabolov, she made her complaint to the LSO of Ontario against Mr. Galati on January 13th, 2022, while Mr. Galati was in a coma, public posts by Ms. Toews, lauding Vladislav Sobolev, in her group of 44, were publicly posted as early as July 28th, 2021. Attached, as Exhibit “B”, is a copy of that group with Donna Toews included, as well as

Yvonne Coelho. Also attached as “Exhibit C”, is a post by Vladislav Sobolev referring to Mr. Galati as a “clown”.

19. I have been provided and reviewed the affidavits of Kip Warner and Fredrico Fuoco, and Donna Toews filed by them in their motion records, in the anti-slaap motion brought by them.

20. I was informed by Ms. Alicia Johnson that Kip Warner requested that Ms. Johnson attempt to convince me, and Mr. Kuntz (president of VCC) to drop Mr. Galati as our legal counsel and to take initiatives to have Mr. Galati criminally charged for financial fraud, as well as take steps to have him disbarred, all of which I found outrageous and criminal itself. And of course, I took no such scandalous steps because there were and are absolutely no grounds to do so.

- **Response to the Affidavit of Donna Toews**

21. Ms. Toews Has never reached out to Action4Canada with respect to her issue of her \$1000.00 donation. She has never requested a refund of her donation. I do not understand why she expects to have Mr. Galati account for her \$1000.00 donation, through a Law Society complaint against Mr. Galati, with a request that the Law Society investigate our books through that complaint except to say that, having looked at the Law Society complaint, it is evident that Mr. Kip Warner organized that complaint, particularly in light of his statements, on his website in his defamatory rant against Mr. Galati, and in his failed attempt through Ms. Johnson to convince me and Mr. Kuntz to criminally charge, attempt to disbar, and fire Mr. Galati.

- **Response to the Affidavit of Fredrico Fuoco**

22. In response to Federico Fuoco's affidavit, I simply respond that his assertions are blatantly false in that:

- (a) he initially wished to be named as a Plaintiff in his own name only. Attached hereto, as "Exhibit D", are the short synopses requested about the early stages after we retained Mr. Galati, in which Mr. Fuoco sets out himself as the Plaintiff and not the two corporations running his restaurant;
- (b) subsequently, in conversations with Mr. Galati, upon learning that his restaurant companies could not recoup financial damages if they were not named, **under Mr. Galati's request**, He emailed Mr. Galati to confirm that he also wanted the two companies added, which is his email request August, 2021 reproduced here as Exhibit "E";
- (c) he then communicated with me to clarify as to whether he should sign the retainer on behalf of "all three" (himself, and the two companies). I wrote an e-mail to Mr. Galati, who responded that he should set out all three, which email is attached as "Exhibit F";
- (d) what is not in dispute is that he retained, along with the other Plaintiffs, Mr. Galati to proceed, which he does not deny, but reverses reality by claiming he never retained Mr. Galati in his **personal** capacity, notwithstanding that in the **entire** time leading up to the filing his notice of discontinuance on September 6th, 2022 without notifying, serving either Mr. Galati or me, Mr. Fuoco further never raised this issue.

23. With respect to communication with respect to the decision of Justice Ross of the British Columbia Supreme Court, the events were as follows:

- (a) Mr. Galati was away between August 16th to September 22nd, 2022 seeking further medical treatment and therapy from the lengthy aftermath and physical problems still lingering from his coma;
- (b) the decision was released on August 29th, 2022, at which time I was traveling with very limited abilities to communicate. I did however manage to be in contact with Mr. Galati abroad, although the time-difference and Mr. Galati own challenges made that communication difficult, but I was able to communicate with Mr. Galati's office;
- (c) on September 1st, 2022 I wrote an e-mail to the other Plaintiffs, attached hereto as "Exhibit G". In that e-mail I indicated that Mr. Galati was away on "business" because that is what Mr. Galati's office indicated to me, not wanting to divulge his private medical condition. After I sent the e-mail I was able to connect, directly, with Mr. Galati who advised me that he was away for medical reasons;
- (d) Mr. Galati (and his office) filed a timely appeal from Justice Ross' decision, for the Plaintiffs who wish to appeal, including appealing the cost order, and further perfected the appeal in a timely fashion, and is in Court awaiting a schedule date for hearing. Unfortunately, due to a derelict mis-and non-reading of the decision itself, some rumors circulated that the Plaintiffs were liable to as much as \$10 million in costs, having misread a paragraph in the decision that the quantum of damages for \$10 Million against CBC should not have been specifically pleaded as to quantum, as prohibited by the Rules. The actual cost order, cumulatively


requested, by all the parties , totals about \$13,000.00 which Action4Canada has decided to cover and pay on behalf of the other Co-Plaintiffs, notwithstanding that their retainers specifically stated that they were liable for costs, because Action4Canada was in turn carrying the entire legal fees;

(e) I had several and lengthy conversations with Mr. Fuoco during this time period which ended up being abusive on his part, some of which are archived on my phone.

SWORN BEFORE ME BY VIDEO CONFERENCE

By Tanya Gaw of Surrey)
In the province of British Columbia)
Before me at the City of Toronto th)
In the Province of Ontario, on this th day of)
March, 2023, in accordance with O. Reg. 431/20:)
Administering Oath or Declaration Remotely.)


Tanya Gaw


A Commissioner for Taking Affidavits
Rocco Galati, B.A., LL.B., LL.M.

This is Exhibit “ **A** ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

Electronically filed / Déposé par voie électronique : 15-Mar-2023
Toronto Superior Court of Justice / Cour supérieure de justice

Court File No./N° du dossier du greffe : CV-22-00683322-0000

778 866-4728

778 866-4728

From: drew-truebits <truebits@protonmail.com>

Sent: Tuesday, June 22, 2021 9:07 AM

To: Action4Canada

Subject: Re: Webinars...Join A4C for Two Informative Events This Week with Derek Sloan and Chris Schaefer

A4C

I appreciate all of your hard work. Can't thank you enough. Please don't stop but,....

That being said, there is a growing number of people who are feeling very disgruntled over who is being re-named Rocco 'the gangster' Galatti. He seems to be holding our donations hostage until he receives his full amount. For about 6 months now we are hearing 'any day now', 'We're just going over the fine print' and a slew of excuses when lawyer: in Europe and other places are offering their services pro bono....along with Kip who is actually moving forward for far less money.

I understand that in order to be successful one needs to fail several times. This is a learning curve for all of us. I am being 'the acid test' here because I've heard this from too many. hope you understand all of this. (A huge weight on your shoulders I'm sure.)

You are a real hero and soldier and look forward to hearing from you but the creeping incremental donations have slowed due to the loss of faith in Golatti. I think it would be helpful for us if you were to give us updates weekly on Golatti's progress or lack thereof.

I'm not the largest donator (but a large enough, especially with no job) and I have campaigned others to contribute. You are under a great amount of pressure I'm sure, and sure you've heard this from others. I want to acknowledge my appreciation for the faith.

Drew Weselak

This is Exhibit “ B ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

INBOX

Compose

Addresses

Folders

Telnet Communications
Options

Current Folder: **None** [Contact Support](#)

Welcome: rocco@idirect.com **Your IP address:** 184.146.175.227

Viewing an image attachment - [View message](#)

[Download this as a file](#)



Vladislav Freedom Is 🥰 feeling grateful with Vladislav Sobolev and 44 others.
July 28, 2021 · 🌐

Lots of appreciation for my mo
#StraightPride #NotSorry
#DevineFeminine REJECT #E
#SaveOurChildren

👍❤️ 128

👍 Like

💬 Comment

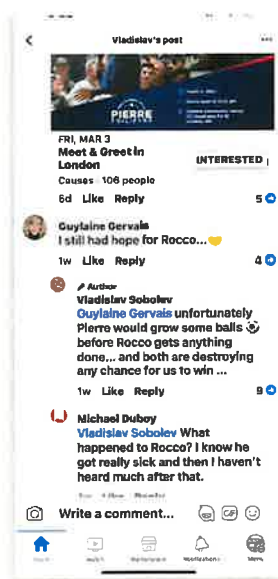
Drea Humphrey
Chris Harrigan
Bruce Orydzuk
Carla Nechwediuk
Felix Hung
Eileen Smith
Bridget Julie Forshaw
Bryna Wittinger
Conrad RC Goodsir
Angela Savage
Dany Krief
Dawna Toews
Donna Fraser
Anna Would
Dia Serban
Farid Ameryoun
Daniel Wi
Jeremy MacKenzie
April Kay
Aiden Ivy
Bea Bold
Emma Kwasnica
Benita Pedersen
Daniel Palomo
Chris Ivany
Shield Maiden
Adrienne Richards
James Davison
Astorias Buddy
Brandon Vydelingum
Chris Weisdorf
Sara Kheirkhah
Yvonne Sunshiney Coelho
Anthony Tasker
Eduard Dychkovski
AL Fame
Maria Sanchez
Brian Paul
Danilo Cabrera
Jennifer White

This is Exhibit “ C ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.



This is Exhibit “ **D** ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

3/15/23, 2:15 PM

Fwd: A4C Plaintiff Federico - Retainer question and further info rafes@gmail.com - Gmail

Electronically filed / Déposé par voie électronique : 15-Mar-2023
Toronto Superior Court of Justice / Cour supérieure de justice

Court File No./N° du dossier du greffe : CV-22-00683322-0000

4 of 12

Fwd: A4C Plaintiff Federico - Retainer question and further info Inbox



TANYA GAW
to me

Thu, Mar 9, 2:26 PM (1 day ago)

From: "Gaw Tanya" <tanyagaw@shaw.ca>
To: "Rocco Galati" <rocco@ldirect.com>, "Harleen (Rocco) Hundal" <harleenkhundal@gmail.com>
Sent: Friday, August 6, 2021 12:50:12 PM
Subject: Fwd: A4C Plaintiff Federico - Retainer question and further info

Federico needs some direction on who he puts as plaintiff on the Retainer....
Tanya

From: "Gaw Tanya" <tanyagaw@shaw.ca>
To: "Rocco Galati" <rocco@ldirect.com>
Sent: Thursday, July 29, 2021 8:44:57 PM
Subject: A4C Plaintiff Federico - Retainer question and further info

RE: Federico... please clarify if he puts his own name on the retainer or does he put his restaurants name....or all 3...his personal name and both businesses. He is good with whatever you recommend.

This is Exhibit “ E ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

Plaintiff: Federico Fuoco Business Closure

Address:
2590 East 8th Ave
Vancouver BC V5M 1W2

Email: federico@telus.net

Phone#: 604 715-3473

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It was sad and devastating, not only for me, but for all the staff and customers that became a second family to me - staff that lost their livelihoods, basically overnight, by government, ill advised shutdowns that forced some businesses to close and others deemed "essential" and allowed to stay open, like "liquor stores." The inconsistencies and irrational policies of all levels of government have caused irreparable damage and a trickle down effect to the service sector, musicians, all facets of the entertainment industry, tourism, suppliers, etc., not to mention the financial ruin of families and the deleterious effect on their well-being.

It is unconscionable how many people have been unnecessarily ruined by the actions of inept government policies, and without meaningful consultation with the businesses affected by their inexplicable shutdowns. In fact, I **own another food service business called Gusto in Olympic Village in Vancouver**, and the restrictive government measures are making it very difficult to stay afloat. Everything from limited seating to mask mandates have caused a dip in my sales in the last four weeks. Government agencies like WCB and Vancouver Coastal Health have become harassers when they come to Gusto or call me after each anonymous Covid-shamer's complaint. It's disgusting and it's gone too far.

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These government officials need to be held accountable for their destructive policies and their ineptitude. I

will do whatever I can and be of any help to bring these so called "experts" and government officials to account.

Thank you,

Federico Fuoco

Plaintiff – Federico Fuoco Additional Information - Restaurant Closure

April 7, 2021

Address:
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Email: federico@telus.net

Phone#: 604 715-3473

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I then decided to comply with the Draconian "circuit breaker" Order and not allow indoor dining. I was closed on Good Friday, as I do every year in observance of the reverent day. I opened on Saturday April 3, 2021, complying with the latest health Order, but in contravention of the Closure Order.

I closed on Easter Sunday, again in observance of the Holy Day. At 1:00 am Monday April 5, 2021, a City inspector duct taped a Business Licence Suspension, along with the Closure Order, on my front glass door of Gusto. The business licence suspension is in effect until at least April 20, 2021.

The next day, Tuesday April 6, 2021, I received a Liquor Licence suspension, because, "an establishment cannot have a liquor licence without a valid business licence in place."

These disproportionate and extreme measures were placed on my establishment, even though I hold valid business and liquor licences that I've paid thousands for the year. I asked the Vancouver Chief Licence inspector, Kathryn Holm, on Tuesday April 6, 2021, if the suspension could be reduced and allow me to open before April 20th, and she flatly refused. In fact, she said that she could arbitrarily extend the suspension indefinitely. She said that only City Council can override her decision. How does one bureaucrat wield so much power?

I have always put the safety and well-being of my staff and customers first, but I also believe it is important to expose the inequity and inconsistency of an Order which severely penalizes one group while making

-2-

irrational exemptions for others, such as BC Ferries' indoor dining remaining open, indoor wine tasting at wineries (which Bonnie Henry is an investor in 'Clos Du Soleil Winery' – "conflict of interest"), as well as completely enclosed patios. The discrepancies, inconsistencies and sheer hypocrisy of the latest Order are unjust!

This will be the final nail in the coffin for many restaurants who are hanging on by a thread.

I have a small patio area, but restaurants without patio space will likely not make it through this.

What can be done about the harsh and unfair treatment that I am getting by the provincial politicians like Solicitor General Mike Farnworth and Adrian Dix, bureaucrat Bonnie Henry, Vancouver mayor Kennedy Stewart and bureaucrats Kathryn Holm and Greg Adamson? How can we hold these people to account for going after small businesses, like mine, in order to fulfil a vendetta and make an example of me, to others, who would dare question their irrational, unjust and Draconian health orders without any science, proof, and evidence to back them up?

Public officials should serve the public not rule the public!

Please let me know if you have any questions.

Thank you,

Federico

This is Exhibit “ F ” to the Affidavit of
Tanya Gaw, sworn before me by video
conference this 11th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

From: "TANYA GAW" <tanyagaw@shaw.ca>
Subject: Fwd: Judge Ross ruling on Motion to Strike.
Date: Thu, March 9, 2023 2:32 pm
To: "Rocco Galati" <rocco@idirect.com>

From: "Gaw Tanya" <tanyagaw@shaw.ca>
Sent: Thursday, September 1, 2022 12:41:16 AM
Subject: Judge Ross ruling on Motion to Strike.

Private and Confidential

Dear A4C plaintiffs,
You may have heard that Judge Ross responded to the Motion to Strike on Monday.

The naysayers and those who want this case to fail are reporting the case has been completely dismissed but that is not accurate.

Judge Ross struck the Notice of Civil Claim (NOCC) in its entirety due mostly to its length ... but is permitting Rocco to file a shorter NOCC and in fact responded to the **defendants** submission who stated that our case is an abuse of process or frivolous and vexatious ... by saying that he (Judge Ross) did not agree with the defendants submission and granted Rocco/the plaintiffs the opportunity to resubmit the claim.

Judge Ross further supported that Charter Rights were infringed upon....

"Put simply, individuals have standing to question whether state actions infringe their *Charter* protected rights. Hence, in this case, there is a prospect that the plaintiffs could put forward a valid claim that certain of the COVID-based health restrictions instituted by the Federal or Provincial governments infringed their *Charter* rights. In addition, it is possible that other valid claims may exist."

c) This action is stayed pending the filing of a fresh pleading.

Rocco is away on business but fully aware of Judge Ross's response and we are working to connect so that we can confirm next steps.

Rocco was expecting the judge would make issue with the length but wanted to ensure that all the important details of this case were on record in the courts. This is why he offered to the judge back I May to provide a shorter NOCC..

As for the costs it is my understanding that Rocco will also be appealing that but I will confirm this when I speak with him and update you as soon as I can

Please keep this information confidential. Do not forward or share this email. once I have spoken to Rocco I will make a public statement

Please keep in mind that we are up against very corrupt individuals and that they have every reason to be very concerned about the magnitude of this claim

Rocco and I are very intent in seeing this legal action through and pursuing justice

Tanya

PS... I am also out of town and doing my best to keep up with messages so I appreciate your understanding that I will be messaging you as a group to keep you updated

https://www.canlii.org/en/bc/bcsc/doc/2022/2022bcsc1507/2022bcsc1507.html?fbclid=IwAR18v7rIxxWuC9UTWTXIKrmOMROR_j1Ty20g8bUcjsEr9znR8gNQ9OstGRQ

Attachments:

untitled-[1]



Rocco Galati <rglfpc@gmail.com>

Fwd: Action4Canada Update

1 message

TANYA GAW <tanyagaw@shaw.ca>
To: Rocco ** Galati <rglfpc@gmail.com>

Thu, Mar 9, 2023 at 2:33 PM

From: "Gaw Tanya" <tanyagaw@shaw.ca>
Sent: Thursday, November 3, 2022 10:09:14 PM
Subject: Action4Canada Update

Dear Plaintiffs,

Just an update to let you know where things are at. In September I had mentioned having a zoom meeting with Rocco to answer any of your questions but it came to our attention that one of the plaintiffs had recorded previous meetings and because of this Rocco cannot attend any further zoom meetings. So if you have any questions please send them to me in writing.

I am so sad about the plaintiff who was removed for attempting to cause division from within but I want to assure you that Rocco is working very hard on our behalf and to also point out that our case is the only one still proceeding in BC. That is completely thanks to Rocco and his well thought out strategy and quality of work. Despite the criticism and opposition to our case from individuals within the freedom movement, we are truly in the best position compared to others. Please keep this in mind when you hear or see any future negative press or posts on social media.

I will again reiterate that the plan with filing the 391 page statement of claim was to ensure that all the details from this global attack are on record and all the bad players named. We have succeeded and are moving toward the next step.

Rocco has been working on the new Statement of Claim and will have it ready to file shortly.

Rocco and I also discussed filing an appeal to address several of Judge Ross's decisions in his ruling that were completely off base. Such as the Supreme Court ruling from India being relevant to our case. Absolutely it is. They are a commonwealth country and therefore, their legal outcomes carry weight. There are other examples but this is just one.

If we do not appeal Judge Ross' decisions then they will remain on record. That is no good so Action4Canada has decided to appeal, along with appealing the costs.

An appeal is an addition cost to the Constitutional challenge and this is standard with every lawyer. For eg. Brian Peckford and Maxime Bernier had their legal action addressing the travel mandate dismissed recently and so they are raising more money for an appeal.

I will be reaching out to our members when we launch the new SOC for further support as well. Action4Canada has been very responsible with managing our donations and have been thoughtful about saving for additional legal costs. We want to make sure our war chest maintains additional funds to see this fight through to completion.

Thank you for your patience as we continue to work hard on your behalf. As I have repeatedly said this is not a sprint but a marathon and we are up against a very powerful opponent but I believe we have the best chance of winning.

God bless you,
Tanya

Court File No.: CV-22-683322-0000

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT OF TANYA GAW

Name: ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION
Rocco Galati

Address: 1062 College Street
Lower Level
Toronto ON M6H 1A9

Telephone No.: 416-530-9684

Fax No.: 416-530-8129

Lawyer for the Plaintiff,
on his own behalf

TAB 4

Court File No. CV-22-683322-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

ROCCO GALATI

Plaintiff

- and -

**DONNA TOEWS (AKA "DAWNA TOEWS"), KIPLING WARNER, CANADIAN
SOCIETY FOR THE ADVANCEMENT OF SCIENCE AND PUBLIC POLICY
("CSAPP"), DEE GANDHI, JANES AND JOHNS DOE**

Defendants

AFFIDAVIT

I, **TED KUNTZ**, of the city of Kelowna in the Province of British Columbia, currently,
physically present in Mesa, state of Arizona, **MAKE OATH AND SAY:**

1. I am the President of Vaccine Choice Canada ("VCC"). I have personal knowledge of the facts and matters herein, and where I refer to information supplied to me by others, I verily believe that information to be true.
2. VCC is a not-for-profit organization established to provide information and education to the public about vaccination, to advocate for individuals to have the right to make voluntary and informed vaccination decisions, and to advocate for vaccine safety, efficacy, and informed consent.
3. I have been provided with the affidavits of Kipling (known as Kip) Warner, Donna Toews, and Vladislav ("Vlad") Sobolev, filed in their anti-slaap motion.
4. To be clear, I do **not** waive my, or Vaccine Choice Canada solicitor client privilege with respect to this motion nor my affidavit

5. VCC has retained Rocco Galati as legal counsel since 2015. Mr. Galati provides legal opinions, advice, and litigation services to VCC. He is accountable to and meets regularly with the Board of Directors of VCC.
6. On or about June 19, 2020, Dawna Toews made a \$1,000.00(one thousand dollar) donation to VCC and requested that the funds be directed to our legal efforts.
7. On June 22, 2020, Ms. Toews requested that we add a membership to her file. Due to a volunteer error, Ms. Toews was not registered as a member of VCC and did not receive our weekly "Choice Insider", invitations to regional and national zoom calls, and special meetings for VCC members. As a result, Ms. Toews did not receive or make payment to an annual invoice for her membership dues.
8. No further correspondence was received from Ms. Toews until December 20, 2021, when she asked about the status of our legal proceedings.
9. A response was filed by one of our intake volunteers, providing Ms. Toews with their personal opinion on the status of the legal proceedings. The response reflected the personal opinion of the volunteer and was not approved or vetted by the Board of Directors of VCC and does not represent the position of VCC.
10. At no time did Ms. Toews indicate that she was not receiving membership information from VCC, request further updates on the legal proceedings initiated by VCC, indicate displeasure with VCC, or request a return of her donation.
11. In the complaint filing against Mr. Galati, it was stated that Ms. Toews was contacted by someone involved with Kip Warner's legal action on December 21, 2021, who stated - "Thank you for agreeing to help us help you recover your donor funds from Rocco." Mr.

Galati never received any donor funds directly on behalf of VCC, nor was he ever privy nor had any involvement in VCC fundraising.

12. It is my understanding that Donna Toews expressed her wish to remain anonymous in her complaint against Mr. Galati.
13. Mr. Galati was retained by and acts on the instructions of the Board of Directors of Vaccine Choice Canada. Therefore, he is accountable only to the Board of Directors of Vaccine Choice Canada.
14. The Board of Directors and Mr. Galati meet regularly to discuss the status of the legal proceedings and our strategy. We have full confidence in Mr. Galati.
15. VCC is not required to reveal our legal strategy nor the details of that strategy to the public, regardless of whether an individual is a donor. Mr. Galati is not at liberty to disclose or violate our solicitor-client relationship with any party. In fact, VCC maintains and does not waive its solicitor-client privilege for the purpose of this motion and affidavit. I provided a letter to the Law Society of Ontario with respect to Ms. Toews' complaint against Mr. Galati, which is attached as "Exhibit A" to this my affidavit.
16. Mr. Galati is not involved in VCC's fundraising efforts, nor does he have access to any information pertaining to our donors. Thus, Mr. Galati is not in a position to speak to the amount of monies raised through donations, nor in what form these monies have been received and/or spent.
17. On June 17, 2021, I participated in a 90-minute zoom meeting with Mr. Warner and Mr. Vlad Sobolev at the request of Mr. Sobolev. In the meeting, Mr. Warner made a number of statements that were incorrect about VCC's and Action4Canada's legal actions. Mr. Warner was of the opinion that because his group had filed legal action in BC that

Action4Canada could not file legal action in BC and thus, Action4Canada would be required to return all donated funds back to donors. I explained to Mr. Warner that he was mistaken in this opinion.

18. Based on the foregoing, I believe that Mr. Warner is endeavoring to undermine confidence in the legal actions of Vaccine Choice Canada and Action4Canada, and wrongfully impugn the integrity of our legal counsel, Mr. Galati, and his firm.
19. My general character, and approach to life, is to attempt to build bridges between common grounds despite the differences that may exist between people. My approach tends to be diplomatic. In my exchanges with Mr. Warner, I attempted this but to no avail, albeit that I was of the viewpoint Mr. Warner was wrong about what he was saying about Mr. Galati and VCC. Attached hereto as “Exhibit B”, are the only email exchanges I had with Mr. Warner.
20. These statements, by Mr. Warner, and views were clearly without any basis. Because of Mr. Warner’s unjustified public, false and inflammatory comments, and the vile and malicious postings of Canuck Law, our membership, and members of the public, including donors, began to insist on a public exposure of our litigation strategy and demand to answer those baseless allegations. We were hesitant to do so because we did not want to expose our litigation strategy, nor reveal solicitor-client privileged material which could be used by detractors and the Defendants in our case, to hurt our case and activities. We instead issued an “update” to our member. Attached hereto, as “Exhibit C”, is a copy of that statement (“update”) that was issued within a few days of July 21st, 2021, a year after we had issued our claim in Ontario Superior Court on July 20th, 2020. What is of note is that very little of this update received any comment nor hostility

because it did not play into this baseless and false narratives being propagated by Mr.

Warner and Canuck Law.

21. In addition to what I have stated above, I respond as set out below.

- **Response to Affidavit of Kip Warner**

22. As a result of Mr. Warner's actions, VCC has experienced backlash from multiple individuals and attacks online against me personally and our organization. This included from supporters, after they got wind of the slander and defamation propagated by Kipling Warner.

23. We have every confidence in Mr. Galati's expertise, competence, and integrity and loudly object to the attempts by Ms. Toews, Mr. Warner, and Mr. Vlavislas Sobolev to undermine our solicitor-client relationship with our legal counsel, and induce a breach of our contract.

24. Mr. Warner's actions are vexatious, unfounded and intended to unjustifiably harm Mr. Galati and to harm VCC. The Law Society Complaint Kip Warner encouraged and assisted Ms. Toews, in making is completely baseless and unfounded.

25. Mr. Warner has referred, publicly, and in this affidavit, to myself and Vaccine Choice Canada, and anyone he connects, in his own thinking, with Mr. Galati, as "Galati affiliates". He in turn refers to Mr. Galati's clients, including Vaccine Choice Canada as "funding arms" for Mr. Galati. I take serious objection to this, Mr. Galati is our legal counsel, and we are his clients, nothing more. We are not his "funding arms". Furthermore, VCC was established in 1982, under a predecessor name with the same objectives, scope, and activities throughout the forty (40) years we have been in existence and its activities have, and continue to be, on various issues and initiatives, and not restricted to just legal cases of

COVID-19 measures litigation in Ontario. We are a national group with members across Canada.

26. I have been provided and reviewed the affidavits of Kip Warner and Donna Toews filed by them in their motion records, in the anti-slaap motion brought by them.

27. I am now informed through the affidavit of Alicia Johnson, sworn March 11th, 2023, that Kip Warner requested that Ms. Johnson attempt to convince me, and Ms. Tanya Gaw of Action4Canada to drop Mr. Galati as our legal counsel and to take initiatives to have Mr. Galati criminally charged for financial fraud, as well as take steps to have him disbarred, all of which I found outrageous and criminal itself. I find such a request a baseless and outrageous request with no grounds whatsoever.

- **Response to the Affidavit of Donna Toews**

28. I have addressed Ms. Toews' assertions and complaints earlier in this my affidavit. I in fact provided a letter to the Law Society of Ontario responding to her complaints against Mr. Galati Attached, as "Exhibit B", is a copy of my letter.

29. Ms. Toews has never reached out to request a refund with respect to \$1000.00 donation which is actually in her husband's name and not hers. Her husband has NEVER communicated with VCC. There has never been a request for a refund of the donation. It is inexplicable why she would expect to have Mr. Galati account for the \$1000.00 donation, through a Law Society complaint against Mr. Galati, with a request that the Law Society investigate our books through that complaint except to say that this may have been a second failed attempt by Mr. Warner to do what he could not do through Ms. Johnson.


• **Response to Affidavit of Vladislav Sobolev**

30. With respect to the affidavit of Vladislav Sobolev, I stand by the contents of this my affidavit. I further add that many are aware of the animosity and ill-will held by Mr. Vladislav Sobolev against Mr. Galati for refusing to act as pro bono counsel on his Family Law litigation, a fact that was conveyed to me by Mr. Galati, more than once when issues of negative comments and posts made by Mr. Vladislav Sobolev arose.

SWORN BEFORE ME BY VIDEO CONFERENCE

By Ted Kuntz of Kelowna)
In the province of British Columbia)
Before me at the City of Toronto)
In the Province of Ontario, on this 13th day of)
March, 2023, in accordance with O. Reg. 431/20 :)
Administering Oath or Declaration Remotely.)


Ted Kuntz


A Commissioner for Taking Affidavits
Rocco Galati, B.A., LL.B., LL.M.

This is Exhibit “ **A** ” to the Affidavit of
Ted Kuntz, sworn before me by video
conference this 13th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.



June 28, 2022

To the Attention of:

Sharon Greene
Intake and Resolution Council
Law Society of Ontario

Re: Case # 2022-261151

Dear Ms. Greene:

I am responding to the complaint to the Law Society of Ontario filed by Ms. Donna Toews on May 19, 2022, against Mr. Galati.

I am the President of Vaccine Choice Canada and am responding on behalf of the Board of Directors of Vaccine Choice Canada.

Mr. Rocco Galati has been retained by Vaccine Choice Canada to provide legal counsel, opinions, advice and litigation on behalf of Vaccine Choice Canada. We have had a solicitor-client relationship with Mr. Galati since 2015.

Mr. Galati is retained by, and accountable to, the Board of Directors of Vaccine Choice Canada. Mr. Galati and the Board of Directors meet regularly to discuss matters pertinent to Vaccine Choice Canada and to our litigation efforts in Ontario.

I can confirm that Ms. Dawna Toews did make a \$1,000.00 (one thousand) donation to Vaccine Choice Canada on or about June 19, 2020 and requested that the funds be directed to our legal efforts.

On June 22, 2020 Ms. Toews requested that we add a membership to her file. Unfortunately, due to volunteer error, Dawna Toews was not registered as a member of VCC and would not have received our weekly "Choice Insider", invitations to regional and national zoom calls, and special meetings for VCC members. As a result, Ms. Toews did not receive or make payment to an annual invoice for her membership dues.

No further correspondence was received from Ms. Toews until December 20, 2021. In the December 20, 2021 email message, Ms. Toews asked – “Can you tell me if anything came of this lawsuit? Did the courts see this yet?”

A response was filed by one of our intake volunteers. The volunteer provided Ms. Toews with her personal opinion on the status of the legal proceedings. This was an error. This response was not approved by or vetted by the Board of Directors of Vaccine Choice Canada and does not represent the position of Vaccine Choice Canada.

This is the full extent of our correspondence with Ms. Toews to date.

I would like to point out that:

- a. At no time did Dawna Toews indicate that she was not receiving membership information from VCC.
- b. At no time did Dawna Toews request further updates on the legal proceedings initiated by VCC before or following her email of December 20, 2021.
- c. At no time did Dawna Toews indicate displeasure with VCC.
- d. At no time did Dawna Toews request a return of her donation.

Thus, it was a surprise to learn in the complaint filing that Ms. Donna Toews was contacted by someone involved with Kip Warner’s legal action on December 21, 2021 who stated - “Thank you for agreeing to help us help you recover your donor funds from Rocco.”

To be clear, Mr. Galati never received any donor funds directly on behalf of VCC, nor was he ever privy nor had any involvement in VCC fundraising. He has no role in VCC except as our independent legal counsel on certain matters.

It would appear Mr. Kip Warner is involved in some kind of action to recover funds donated to Vaccine Choice Canada. If this is in fact the case, it would have been more appropriate to direct the request to Vaccine Choice Canada to whom the funds were donated.

It is interesting to note that Donna Toews expressed her wish to remain anonymous in this complaint against Mr. Galati.

On behalf of the Board of Directors of Vaccine Choice Canada I wish to declare that:

- a. Mr. Galati was retained by, and acts on the instructions of the Board of Directors of Vaccine Choice Canada. Thus, Mr. Galati is accountable only to the Board of Directors of Vaccine Choice Canada.
- b. The Board of Directors and Mr. Galati meet regularly to discuss the status of the legal proceedings and our strategy.
- c. We have full confidence in Mr. Galati.

- d. Vaccine Choice Canada has no intention of revealing our legal strategy to the public, regardless whether an individual is a donor.
- e. Mr. Galati is not at liberty to disclose or violate our solicitor-client relationship either with the Law Society of Ontario or any other party.
- f. Mr. Galati is not involved in our fund raising efforts, nor has access to any information pertaining to our donors. Thus, Mr. Galati is not in a position to speak to the amount of monies raised through donations, nor in what form these monies have been received and/or spent.
- g. We have concerns as to the intentions of Mr. Warner in this matter, as well as the motives of Ms. Toews.

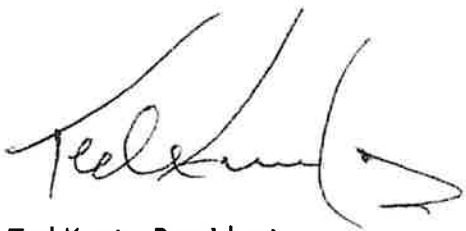
On June 17, 2021 I participated in a 90 zoom meeting with Mr. Warner and Mr. Vlad Sobolev at the request of Mr. Sobolev. In the meeting Mr. Warner made a number of statements that were incorrect about VCC's and Action4Canada's legal actions.

Mr. Warner was of the opinion that because his group had filed legal action in BC that Action4Canada could not file legal action in BC and thus, Action4Canada would be required to return all donated funds back to donors. I explained to Mr. Warner that he was mistaken in this opinion.

It appears that Mr. Warner is endeavoring to undermine confidence in the legal actions of Vaccine Choice Canada and Action4Canada, and moreover wrongfully impugn the integrity of our legal counsel Mr. Galati and his firm.

- If you require any further information, feel free to contact me at ted@vaccinechoicecanada.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Kuntz', with a stylized flourish at the end.

Ted Kuntz, President
Vaccine Choice Canada

This is Exhibit “ **B** ” to the Affidavit of
Ted Kuntz, sworn before me by video
conference this 13th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

Subject: Re: Freedom Team meeting this week? Kip Warner's correspondence
Date: Thu, March 9, 2023 6:38 pm
To: "Rocco Galati" <rocco@idirect.com>

I found one of the emails from Ted. Chuck had communication with Kip who made the following statement and then provides a list of questions below.

Kip ... " Respectfully Chuck there's information in my team's possession that you don't have. We've been receiving reports weekly, sometimes daily, alleging bad faith, fraud, or other improprieties in Rocco's various fundraising arms."

>> From: "Theodore Kuntz" <ted@vaccinechoicecanada.com>
>> To: "Rocco Galati" <rocco@idirect.com>
>> Cc: "Gaw Tanya" <tanyagaw@shaw.ca>
>> Sent: Wednesday, June 29, 2022 1:59:34 PM
>> Subject: Fwd: Freedom Team meeting this week? Kip Warner's correspondence
>>
>> Hi Rocco and Tanya
>>
>> More information on Kip Warner for you.
>>
>> ted
>>
>>

>> Hi Ted,
>> below is the email correspondence from me to Kip Warner and his responses
>> in black. How should I respond, if at all?
>>
>> Courage and wisdom,
>>
>> Chuck
>> 604-947-9011
>>
>>
>> Hi Kip,
>>>
>>> Correction - the newsletter was actually produced by Tina, volunteer
>>> webmaster with the Freedom Rising coalition.
>>
>> Thanks for that.
>>
>>> I must say that I'm saddened to hear that your group and VCC are
>>> fundamentally not seeing eye-to-eye. There are so many things the
>>> two groups have in common: each group has retained legal counsel,
>>> each group has advanced a court challenge (theirs Constitutional,
>>> yours Class Action) against the BC government over their COVID-19
>>> mandates, each group is fighting for justice and each group is
>>> awaiting a judicial decision on the merits of their case. It is
>>> critically important that both groups recognize that their respective
>>> Court Challenges are actually complementary and synergistic. Both groups
>>> need to exercise respect and kindness in all their communications.
>>
>> Respectfully Chuck there's information in my team's possession that you
>> don't have. We've been receiving reports weekly, sometimes daily,
>> alleging bad faith, fraud, or other improprieties in Rocco's various
>> fundraising arms.
>>
>> But I encourage you to do your own research and not take the word of
>> those bringing us the reports. Here are some basic questions for you
>> that will help:
>>
>> (1) What date did VCC file in Toronto?
>>
>> (2) How many hearings have been held since and for what?
>>
>> (3) Did you attend any?
>>
>> (4) What date was the interlocutory injunction heard that Rocco pledged
>> to bring before Christmas of 2020?

Electronically filed / Déposé par voie électronique : 15-Mar-2023
Toronto Superior Court of Justice / Cour supérieure de justice

Court File No./N° du dossier du greffe : CV-22-00683322-0000

>> (5) How many of the defendants have filed reply pleadings?
>>
>> (6) Was a default judgment sought?
>>
>> (7) What orders have been made since (1)?
>>
>> (8) How much money was raised?
>>
>> (9) Has either yourself or anyone else you know audited their financial records?
>>
>> For his BC campaign:
>>
>> (1) What was the date the fundraising campaign was announced?
>>
>> (2) What was the date the plaintiff filed its pleadings?
>>
>> (3) How many hearings have been held since and for what?
>>
>> (4) Did you attend any?
>>
>> (5) What orders were made?
>>
>> (6) How much money was raised?
>>
>> (7) Has either yourself or anyone else you know audited their financial records?
>>
>> (8) Did his fundraising arm agree to indemnify the individually named plaintiffs in the event an adverse cost award is made?
>>
>>> In that light I respectfully ask that you remove the adversarial language referencing Mr. Galati in the FAQ section of your website. I fear the BC government will try to leverage against you any enmity it perceives you may have towards Mt. Galati, and VCC. In our mutual struggle for the flourishing of true humanity, now more than ever we need to demonstrate unity. Together we stand, divided we fall.
>>
>> I'm not sure what you mean by adversarial. The section on Rocco went through counsel. If you find something factually wrong, please by all means feel free to point it out.
>>
>>
>> --
>> Kip Warner
>> OpenPGP signed/encrypted mail preferred
>>

Attachments:

untitled-[1]
Size: 4.1 k
Type: text/plain



Rocco Galati <rglfpc@gmail.com>

Fwd: legal challenges

1 message

TANYA GAW <tanyagaw@shaw.ca>
To: Rocco ** Galati <rglfpc@gmail.com>

Thu, Mar 9, 2023 at 3:28 PM

From: "Ted Kuntz" <tedjkuntz@gmail.com>
To: "Odessa Munroe" <omunroe@shaw.ca>, "Gaw Tanya" <tanyagaw@shaw.ca>
Sent: Saturday, July 17, 2021 1:04:20 PM
Subject: Fwd: legal challenges

Hi Odessa and Tanya

Thought you should see the correspondence I had with Kip in June. Vlad was copied in on this but did not respond.

I did not respond to Kip.

My comments are in the light green/blue. Kip's response is in the darker blue.

ted

Begin forwarded message:

From: Kip Warner <kip@thevertigo.com>
Subject: Re: legal challenges
Date: June 18, 2021 at 5:15:33 PM PDT
To: Theodore Kuntz <ted@vaccinechoicecanada.com>
Cc: Vlad Soboled <hugsnation2020@gmail.com>**On Fri, 2021-06-18 at 12:51 -0700, Theodore Kuntz wrote:**

Hi Vlad and Kip

Hey Ted,

Thank you for the time yesterday to better understand the intention and scope of the application undertaken by the Canadian Society for the Advancement of Science in Public Policy.

My pleasure. It's actually not an application (called a "petition" here under the BC Civil Rules), but there likely will be several interlocutory applications (applications for non-final orders) along the way by the parties.

I applaud your efforts to hold Dr. Bonnie Henry, and the BC government accountable.

Thank you. It's a lot of work. We are about to initiate the process of summoning her, probably today.

I do want to ensure that there is clarity in your understanding of the legal action filed in Ontario and the pending legal action in BC.

These actions are constitutional challenges and not class actions.

Got it.

Electronically filed / Déposé par voie électronique : 15-Mar-2023

Toronto Superior Court of Justice / Cour supérieure de justice

making inquiries the rationale for the delay in filing a default judgement in Ontario and the delay in the BC action. I can reassure you that each of the cases are proceeding. There are important reasons for the delays.

I think it is important to explain to your supporters that:

- the actions filed by Rocco Galati are distinctly different than the action you are proceeding with
- that Rocco has been formally retained and work on these filings have been continually worked on since May 2020.
- that all donations received have gone to support the legal actions

Can I suggest that rather than try to explain to your donors what is happening with the filings, that you direct them to the Constitutional Rights Centre, Action4Canada and Vaccine Choice Canada.

I had an opportunity to discuss with the team. The consensus was that people have little difficulty in finding those organizations already. What we've gathered from the general public's inquiries is that the answers they are receiving from them they have not found adequate for whatever reason. We don't have any control over that.

I can tell you that the board of VCC meets regularly with Rocco to review the case and to discuss the best strategy to move forward.

I'm really glad to hear that.

As I mentioned, Rocco has secured international experts to address the fundamental issues of this matter and will launch when all the necessary affidavits are in place. We already have thousands of pages of expert testimony secured and experts retained.

Can I also suggest that you remove the information posted under Are you affiliated with Rocco Galati, and if not, why not?

I personally find this information unhelpful, incomplete in its answers, and undermines confidence at a time when we need to stand behind our warriors.

We had an opportunity to discuss this internally. You are correct that there were some incorrect information in the FAQ as it pertained to Rocco. Specifically, the filing date and the type of suit (it's not a class action). The filing date was off by a month and the suit is, as you indicated on our call, not a class action. Within several minutes of our call I had that corrected in the FAQ. The original went through legal.

To ensure that it is accurate, if there's any orders that were made or any hearings that we missed, please do let us know and we will be sure to correct the FAQ.

Regarding it being unhelpful, we've actually experienced the opposite. There's been a decrease in public inquiries concerning Rocco which has freed up our team to focus on the substantive work, like in my case our case planning proposal for our upcoming judicial management conference.

This is a critical time in the history of humanity, and we need every resource we can to reclaim our rights and freedoms.

We absolutely do. But we also as executive directors of non-profits must always be mindful of our fiduciary responsibility to our stakeholders.

3/15/2023 8:40 PM

Gmail - Ewd: legal challenges

Electronically filed / Déposé par voie électronique : 15-Mar-2023

Court File No./N° du dossier du greffe : CV-22-00683322-0000

Toronto Superior Court of Justice / Cour supérieure de justice

as an army officer was that leadership isn't a popularity contest.

Sometimes we have to make difficult decisions. Sometimes we make the wrong ones. But when we make the wrong ones, we have to take responsibility for them, take corrective action, and let the caravan roll on. If we don't do that, we lose the confidence of others, including our subordinates, and then we cannot complete our mission objectives.

Let me know if you have any questions.

Thanks for reaching out Ted. Good luck with your work. We all wish your team the best.

Yours truly,

--

Kip Warner -- Senior Software Engineer
OpenPGP signed/encrypted mail preferred
<https://www.thevertigo.com>

"You can't create a solution with the same mindset that created the problem."

- Albert Einstein

This is Exhibit “C” to the Affidavit of
Ted Kuntz, sworn before me by video
conference this 13th day of March, 2023



A Commissioner for Taking Affidavits

Rocco Galati, , B.A., LL.B., LL.M.

PRIVATE AND CONFIDENTIAL

Legal Challenge Update

Dear VCC Members and Supporters

Many of you have asked the current status of our legal challenge filed in July 2020. Like you, I am eager for our “day in court” and the opportunity to hold the government, public health, and the media accountable for their egregious violations of our rights and freedoms.

If you recall, when we retained and instructed Rocco Galati to prepare and issue a Statement of Claim, it was primarily because no-one else was stepping up to protect our rights. It was never our intention nor wish to have exclusive proprietary claim over challenging the COVID measures. It was a comprehensive declaration to governments to indicate that their breach of our rights is not acceptable.

If you also recall the filing in itself had some immediate impact in the first revocation of the emergency order, and a public announcement of a pending masking injunction resulted in clear and comprehensive masking exemption Regulations FOR THOSE CHOOSING TO EXERCISE THEM.

If you also recall, we reiterated that there was no magic wand or bullet to any one singular Court case.

Our goal is to win and restore our inherent rights and freedoms and not just to show up and say we tried. There is more to creating a winning strategy, as can be evidenced by the various legal proceeding that have been filed and argued to date, than simply making legal arguments in a court of law.

A significant aspect to any successful legal challenge of this nature is having credible experts fully prepared to testify in support of the arguments put forward. Rocco has repeatedly stated – the legal arguments are the easiest part of our action. To have a successful outcome, compelling expert testimony is needed to enable a judge to stand against the fraudulent government and media narrative.

Almost every legal filing to date by other lawyers has failed because of a lack of adequate expert testimony. It has taken many, many months to secure the appropriate experts and to complete the necessary affidavits.

Since the filing of our claim other battles appeared on the front that were in concert with our initial challenge and the Board of Vaccine Choice Canada decided to collaborate and mesh with those efforts as they were not separate from ours. We decided, and instructed and agreed with

our legal counsel, that all the other dimensional challenges which were in fact part and parcel of our own would be co-ordinated.

For example, the need to protect the right of our medical doctors, nurses, teachers, public health officials and law enforcement officers to speak their truth without fear of reprisal. As you are all aware, the Colleges of Physicians and Surgeons of Ontario and BC and other institutions have been unapologetic in their efforts to intimidate into silence medical professionals and others who dare to question the medical basis for the measures, or to share their observations on the front lines. Dr. Malthouse, Dr. Trozzi, Dr. Hoffe, Dr. Hodgkinson, Dr. Gill, Dr. Patrick, Dr. Milburn and Dr. Christian, to name a few, have been the targets of these efforts to censor expert opinion.

Thus, since our last update in January 2021, in concert with that overall plan, other legal actions have been filed. These include:

1. The defence of doctors in Ontario and BC, before their Colleges, who have been the subject of tyrannical censor by their Colleges. This includes two Divisional Court applications, with another three to be filed this week in Ontario, as well as a judicial review on behalf of Dr. Malthouse in BC.

These Court applications take a constitutional challenge to the Colleges' attempts to muzzle and gag these doctors who include Drs. Gill, Phillips, Turek, Benoit, Matheson, Amani, Malthouse, Trozzi and others. In addition, action for damages, as well as the unconstitutional conduct by their Colleges, are being prepared on behalf of these doctors.

2. On April 30th, 2021 an application on behalf 24+ police officers who are challenging the enforcement of the Covid Measures as violating their Oath to uphold the Constitution. This application challenges such things as:
 - (a) the fining or arrest of persons who attend protest and petitions and assembly against government;
 - (b) the imposition of restriction of entry at Provincial borders;
 - (c) lockdowns;
 - (d) church and other religious gathering closures and events;
 - (e) the halting of coercive measures to vaccinate.
3. On May 7th 2021, an Application to re-open the schools in Ontario, without any of the Covid-measures was filed. (Interesting that within a few weeks of its filing Ontario reversed its position of not opening the schools in September 2021). The application is still proceeding and challenges:
 - (a) any isolation in the school setting;
 - (b) any masking;
 - (c) the fraudulent use of PCR testing and ceasing of testing; and

(d) any segregation between PCR-tested / vaccinated vs. PCR-unttested/ unvaccinated children.

The preparation of this application has entailed a masking expert affidavit exceeding 2,600 pages of expert testimony and annexed reports; a PCR expert affidavit exceeding 6,100 pages of expert testimony and annexed data and expert reports concluding that the PCR test is being fraudulently used to elevate “case numbers” with a false positive rate of 96.5%; an expert report on the detrimental and developmental damages caused by masks especially on children; an expert report on the detriment of the measures and online learning on children; as well as over 30 affidavits by the Applicants, who include children, parents and teachers, outlining the ordeal they have suffered, establishing the required factual evidence and basis for their seeking of constitutional relief. All in all, there will be well over 11,000 pages of evidence filed in this application, just on the part of the applicants.

4. In addition, an action has been proceeding and well under way, suing in defamation those who have viciously maligned doctors on social media, who post information and expert opinion contrary to the state narrative.
5. An action will be filed imminently against the Government of BC, Premier John Horgan, Health Minister Adrian Dix, Public Safety Minister Mike Farnworth, and Public Health Officer Dr. Bonnie Henry. This action, spanning 425+ pages, will hold these individuals and institutions accountable for the harm and deaths caused by their actions and failure to act responsibly in response to COVID-19.
6. The defence of those instrumental in organizing protests, a constitutionally protected right.
7. A Federal challenge to federal vaccine passports for international travel is contemplated and, in the works, as will be a Provincial vaccine passport if implemented.

In all of these proceedings constitutional declarations are sought against all these measures and the authority of public officials imposing them.

Essentially, these other focused applications cover everything that our statement of claim covered with the exception of vaccines which have not yet been made mandatory by government.

Our statement of claim has, and continues to act, as the umbrella for these sectorial challenges.

The expert evidence prepared in these other proceedings will also be used to the benefit and will be available to the VCC challenge when our counsel decides to pull the trigger on our challenge now that the evidence has been obtained, (which he does not want to reveal here in this communication for obvious reasons).

In addition to these Court proceedings, “actions on the ground” have been on-going with the assistance and consultation and legal advice of our counsel, such as:

1. Notices of Liability

Notices of Liability was developed through a collaboration of the Constitutional Rights Centre and Action4Canada to hold school superintendents, administrators, Principals, Teachers Unions, and teachers personally liable for injury to children and adults in the public school system, as well as their unlawful efforts to coerce children to partake in an experimental gene treatment without the knowledge or consent of parents.

This effort has resulted in the majority of the Superintendents, Principles and Teachers Unions being formally served with a Notice of Liability. The actions to formally serve these individuals has been documented for future legal action should they persist in illegal, immoral and unlawful actions.

This action has resulted in a number of Teachers Unions issuing directives to teaching staff to not engage in any effort that may coerce a child to partake in the vaccination experiment.

2. A letter-writing campaign

Vaccine Choice Canada, in collaboration with the Constitutional Rights Centre and Canada Health Alliance have launched a letter writing campaign where the focus of the campaign are the Premiers, Minsters of Health and the Chief Public Health Officers of the various provinces and territories. Our goal is to make clear to these key decision-makers how their measures and policies in response to COVID 19 have failed to address the health needs of the public as well as the need to protect and preserve our Constitutional rights and freedoms.

Collaborative Effort

The reality is that a number of organizations are participating in a complex strategy with our legal counsel to hold our governments, public health officers, colleges, media and others accountable for the harm and deaths caused by their unwarranted and unconstitutional actions. These organizations include: The Constitutional Rights Centre, Vaccine Choice Canada, Action4Canada, Children’s Health Defence Canada, Stand On Guard for Thee, Canada Health Alliance, and other organizations and individuals.

Each of these efforts are central and critical to our overall success. In each of these proceedings the same constitutional challenges set out in our original claim, as applied to the circumstances, are being advanced.

It is important to recognize that these matters are legally and scientifically complex, and constantly evolving. As new information and research emerges, this information needs to be incorporated into future statements of claim and actions.

While we appreciate the frustration in witnessing the ongoing, systemic violations of our rights and freedoms by those we entrusted to protect Canadians, we are confident that we are making a difference and that our collective actions to hold government and others accountable is causing governments and others to reconsider their measures.

We are compelled to state, on the fervent insistence of our legal counsel, that he resists, objects and finds frustrating having to reveal our legal strategy in this fashion and that he takes absolutely no responsibility in the blow-back to the litigation strategy that may ensue when government becomes aware of this newsletter, and government will get wind of it, most likely in a distorted version and misinterpretation of the content as has happened in the past with comments made by our Counsel to the membership.

Citizen Action

I remind you that legal action alone cannot stop the systemic violations by our governments, health agencies and mainstream media. These violations must also be addressed by direct individual action.

This includes engaging your elected representatives, holding the media accountable for deception and distortion, educating family and friends, being unwilling to comply with illegal, unconstitutional and unwarranted measures, and being vocal in challenging illegal and unconstitutional measures.

The ending of tyranny cannot be brought about by a single court case, a single lawyer, or a single organization, but rather by each of us engaging in action to defend our rights and freedoms.

Thank you for your patience and continued support.

Sincerely,

The Board of Directors of Vaccine Choice Canada

Court File No.: CV-22-683322-0000

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT OF TED KUNTZ

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Lawyer for the Plaintiff,
on his own behalf

TAB 5

Court File No. CV-22-683322-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

ROCCO GALATI

Plaintiff

- and -

**DONNA TOEWS (AKA "DAWNA TOEWS"), KIPLING WARNER, CANADIAN
SOCIETY FOR THE ADVANCEMENT OF SCIENCE AND PUBLIC POLICY
("CSAPP"), DEE GANDHI, JANES AND JOHNS DOE**

Defendants

AFFIDAVIT

I, Alicia Johnson, of the City of Richmond in the Province of British Columbia,

MAKE OATH AND SAY:

1. I am a resident of British Columbia.
2. I have been provided with the affidavit of Kipling (known as Kip) Warner filed in an anti-slaap motion brought by him in this action.
3. I met Kip Warner in the spring of 2021, at the home of a mutual acquaintance, where Kip Warner was talking about his legal action against the British Columbia government, COVID-19, mandates.
4. Initially I was a supporter of his endeavour.
5. I found it odd that he repeatedly brought up Rocco Galati, not only to me, but to others I saw him speak to. He repeatedly, and emphatically, asserted that it did not take hundreds of thousands of dollars to carry through a lawsuit in the Courts, and that a challenge could be done for \$10,000.00 (ten thousand dollars). This criticism was aimed at Rocco Galati.

6. I, myself, knew that lawsuits were much more expensive than what Kip Warner was portraying both privately and publicly as was stated in his initial GoFundMe video before it was updated with what it is currently replaced with.
7. As time passed Kip Warner would occasionally reach out to me on the “signal app” of which we were both a part of, with invitations to go for dinner, bike rides, walks, attend his birthday, and such social events. But I declined as I was very busy and not available.
8. Shortly after our introduction, Kip Warner had added me to his “signal group”, so that he could communicate with those who supported his legal action, through his “Canadian Society for the Advancement of Science in Public Policy” which he had established. We were told in late summer, 2021, that in order to stay in the group an NDA had to be signed to remain in the group as legal strategy would be discussed in the coming weeks, so I signed on September 2nd, 2021 but requested to be removed on September 24th, 2021 due to harassment I began to experience in the group, by Vladislav Sobolev and Yvonne Coelho.
9. After Kip Warner removed me from the group, as per my request, Kip Warner reached out to me and asked me if I could speak to Tanya Gaw of Action4Canada, Ted Kuntz, President of Vaccine Choice Canada, and Odessa Orlewicz, a media person, all of whom I knew well.
10. Kip Warner asked me to contact Tanya Gaw and Ted Kuntz to convince them to get rid of Rocco Galati as Kip had been unsuccessful to do so himself. Kip Warner kept insisting that Mr. Galati overcharged his clients.
11. Kip Warner called me on the signal app video to express to me his hopes that I would try and convince them. He then walked me through, online together, to look into the Vaccine Choice Canada lawsuit filed in Toronto to show me that the case was only filed and had no movement. And that the case would get thrown out of Court. Then he took me to an online reference where

he said Rocco Galati was reprimanded for excessive billing and went on to tell me that “all lawyers are crooks” and that “they are only supposed to execute their clients’ instructions”.

12. Kip Warner then proceeded to tell me that Rocco Galati is not a constitutional lawyer but a tax lawyer and is not even qualified to do a constitutional challenge and that Rocco Galati is not allowed to practice in British Columbia and that he is overcharging and taking advantage of Tanya Gaw and Ted Kuntz because they are evangelicals and evangelicals are too trusting.

13. Kip Warner then said to me that he was told by someone in Rocco Galati’s camp that they overheard Rocco Galati say that he was going to take all the money from all the constitutional cases that he was taking on and leave the country to retire in Italy, and that is why his Statements of Claim were written in a manner to intentionally get struck from the Courts. Kip Warner did not divulge who his source was for the above statements.

14. I asked Kip Warner what he was hoping to gain by having me relay this to Tanya Gaw and Ted Kuntz. Kip Warner stated that his aim was to have Rocco Galati removed as their lawyer. He further stated that he would like them to file a formal complaint against Rocco Galati to the Law Society and pursue having him disbarred, and further, to have criminal charges laid against him for financial fraud.

15. I then asked Kip Warner that if Tanya Gaw and Ted Kuntz removed Rocco Galati as their lawyer, would that not leave their cases to have to start over from scratch, Kip Warner said “yes”.


16. I then asked Kip Warner why he was so fixated on Rocco Galati stemming back to the time we first met, he answered, it was because Rocco Galati had “screwed” over a friend in another Court case. He did not tell me who his friend was, and what Court case it was.

17. I then asked Kip Warner if everything we discussed on the call could be shared with Tanya Gaw, Ted Kuntz and Odessa Orlewicz, and he answered “yes and please let me know what happens after you speak to them”.
18. Because of my own nature, and my discernment, I did not reach out to Tanya Gaw, Ted Kuntz and Odessa Orlewicz right away as Kip Warner had asked. I was hesitant because I felt that Kip Warner’s actions, his website tab of Rocco Galati, was directly undermining the movement by causing public doubt and insecurity towards Rocco Galati, Action4Canada, and Vaccine Choice Canada by repeating to as many people that would listen, the same information that he relayed to me on our Signal conversation and to be frank what he was saying about Rocco Galati was defamatory as he was trying to paint Mr. Galati as a con artist and a fraud.
19. I further did not reach out to them because I knew court cases can be, and are, complex and costly, and since I was not Rocco Galati’s client, I was not privy to his client’s strategy, nor the instructions Rocco Galati received from his clients to execute that strategy. This was shortly after September 24th, 2021.
20. After this conversation with Kip Warner, Kip Warner reached out to me a few times asking whether I had spoken to Tanya Gaw, Ted Kuntz, and Odessa Orlewicz, and I simply told Kip Warner that I had not been able to connect with Tanya Gaw and Ted Kuntz yet because they were very busy.
21. On February 28th, 2022 I spoke to Tanya Gaw via text message to relay the information that Kip Warner gave me to relay. I did not go into great detail in the text message. At a later date, when I was with Tanya Gaw in person, I conveyed everything Kip Warner wanted me to convey.
22. I did not reach out to Ted Kuntz.

23. I did not discuss it fully with Odessa Orlewicz because Odessa Orlewicz did not trust Kip Warner's intentions in general as she felt he [Kip Warner] is mentally unstable, which she voiced to me when I attempted to relay my conversation that I had with Kip Warner.

**SWORN BEFORE ME BY VIDEO
CONFERENCE**

By Alicia Johnson of Richmond)
In the province of British Columbia)
Before me at the City of Toronto ^{ha})
In the Province of Ontario, on this 11 day of
March, 2023, in accordance with O. Reg. 431/20:)
Administering Oath or Declaration Remotely.)


A Commissioner for Taking Affidavits
Rocco Galati, B.A., LL.B., LL.M.


Alicia Johnson

Court File No.: CV-22-683322-0000

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

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Lawyer for the Plaintiff,
on his own behalf

TAB 6

Court File No. CV-22-683322-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

ROCCO GALATI

Plaintiff

- and -

**DONNA TOEWS (AKA "DAWNA TOEWS"), KIPLING WARNER, CANADIAN
SOCIETY FOR THE ADVANCEMENT OF SCIENCE AND PUBLIC POLICY
("CSAPP"), DEE GANDHI, JANES AND JOHNS DOE**

Defendants

AFFIDAVIT

I, Sandra Sable, of the City of Ancaster, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a volunteer with a not-for-profit organization headquartered in Toronto, Ontario, Canada, called "TakeActionCanada". My primary contribution to the organization is project management, which involves assisting in the organization, execution, and maintenance of initiatives brought to us by members of our community.
2. I have been provided with the affidavits of Kipling (known as Kip) Warner, and Vladislav Sobolev filed in a motion brought by Mr. Warner in this action.
3. In early December 2021, I was selected to act as project coordinator on a legal initiative specific to "First Responders" and "Essential Workers" at municipal levels within the province of Ontario.
4. During the early stages of this initiative, several zoom meetings were conducted with the objective of meeting and vetting legal representation in order to take legal action on behalf of employees who had been discharged or leave without pay or fired for declining COVID-19

vaccines, and/or been coerced against their free consent to take them to keep their jobs. The group eventually narrowed down the candidates and put it to a vote. The group overwhelmingly voted in favor of retaining Mr. Rocco Galati. We then approached Mr. Galati.

5. Within a few weeks of this decision, I received a text message from Vladislav Sobolev, commonly known as "Vlad," requesting that he and I have a call.
6. I had only briefly connected with Vlad in June 2020, and as far as I knew, he had moved to the west coast, British Columbia, that same summer. Nonetheless, I was aware of his activities to supporting Canadians' rights under the *Charter*.
7. During our call, Vlad expressed concerns he had about Mr. Galati, which were based on his own interactions with Mr. Galati a few months earlier. Vlad was very upset and felt that Mr. Galati had let down many people who may or may not have been plaintiffs in legal actions. He claimed to have had several interactions with Mr. Galati when he himself presented a situation that he felt Mr. Galati should represent. He indicated that he wanted Mr. Galati to represent him on his family law litigation with his partner with whom he had a child. Mr. Galati declined on the basis that Mr. Galati does not do family law cases. Vlad felt angered by this. Vlad felt that his case would set precedent for many Canadian families.
8. Vlad wanted me to know that, according to him, Mr. Galati had kept plaintiffs "in the dark" and uninformed about the legal process. Vlad believed that it was not serving Canadians if Mr. Galati refused to publicly disclose legal proceedings to which he was retained. Vlad believed it was Mr. Galati's responsibility to Canadians to hold public forums on the intricacies of each case. Vlad also mentioned that Mr. Galati had been unsuccessful in several of his cases, which may compromise Canadians as a whole.


9. As a point of reference to his misgivings about Mr. Galati, Vlad directed me to a website that was populated and managed by a man known as Kip Warner. I had never heard of Mr. Warner prior to my call with Vlad. It was clear to me that Vlad was comparing Mr. Warner to Mr. Galati. He was comparing his beliefs of the style of lawyer between Mr. Galati and Mr. Warner, even though Mr. Warner is not a Lawyer. I also recall Vladislav Sobolev mentioning "professional opinions" that questioned Mr. Galati professional integrity, one being "Canuck Law".
10. I visited Mr. Warner's website under the title of "Canadian Society for the Advancement of Science in Public Policy" at Vlad's direction. The website had a dedicated and lengthy opinion piece, written by Mr. Warner, which was unfavorable towards Mr. Galati. Mr. Warner questioned Mr. Galati's legal experience, fee schedules, and handling of a legal action on behalf of Vaccine Choice Canada. I had no reason to visit the Canadian Society for the Advancement of Science in Public Policy, and Mr. Warner's site had it not been for Vlad's direction to do so.
11. Although I am not a lawyer, I found Mr. Warner's article confusing in reference to his opinions. However, my impression of Mr. Warner's powerfully written post was clearly defamatory of Mr. Galati and likely creating doubt of Mr. Galati's professional expertise for readers visiting the site.
12. While our group did not change lawyers, Mr. Warners' post(s) and comments, which were spread, along with those of a site called Canuck Law, caused the Plaintiffs to have doubts and misgivings which caused many of our group to drop out of the group while we were trying to reach sufficient numbers to commence the action after the decision made to retain Mr. Galati. Many of the persons who dropped off, had already signed retainers and provided their fee, in

trust, dropped out and requested a refund, which was granted before the refund deadline was imposed once worked commenced on drafting of the Statement of Claim. This caused extensive headaches and compromise to the financial viability of the action.

SWORN BEFORE ME BY VIDEO CONFERENCE

By Sandra Sable of Ancaster)
In the province of Ontario)
Before me at the City of Toronto)
In the Province of Ontario, on this 14 day of)
March, 2023, in accordance with O. Reg. 431/20:)
Administering Oath or Declaration Remotely.)

Sandra Sable
Sandra Sable


A Commissioner for Taking Affidavits
Rocco Galati, B.A., LL.B., LL.M.

Court File No.: CV-22-683322

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

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Lawyer for the Plaintiff,
on his own behalf

Court File No.: CV-22-683322-0000

Rocco Galati

Kipling Warner et al.

-and-

Plaintiff

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

RESPONDING (PLAINTIFF'S) MOTION RECORD

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Lawyer for the Plaintiff,
on his own behalf