

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*)
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

AFFIDAVIT OF SANDRA SABLE

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on his own behalf