



*ONTARIO*  
**SUPERIOR COURT OF JUSTICE**

B E T W E E N:

**DR. KULVINDER GILL**

Plaintiff

-and-

**ROCCO GALATI and ROCCO GALATI LAW FIRM  
PROFESSIONAL CORPORATION**

Defendants

**NOTICE OF ACTION**

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 Canada and the United States of America, the period is sixty days.

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

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

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$5,000 for costs, within the time for serving and filing your Statement of Defence you may move to have this proceeding dismissed by the Court. If you believe the amount claimed for costs is excessive, you may pay the Plaintiff's claim and \$400 for costs and have the costs assessed by the Court.

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

Date February 23, 2024 Issued by Electronically Issued  
Local Registrar  
Address of court office: 330 University Ave.  
8<sup>th</sup> Floor  
Toronto, ON M5G 1R7

TO: **ROCCO GALATI**  
1062 College Street  
Lower Level  
Toronto, ON M6H 1A9

AND TO: **ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION**  
1062 College Street  
Lower Level  
Toronto, ON M6H 1A9

## CLAIM

1. The Plaintiff, Dr. Kulvinder Gill, claims against the Defendants, Rocco Galati and Rocco Galati Law Firm Professional Corporation as follows:

- a. General and special damages for professional negligence, breach of fiduciary duty and/or breach of contract in the amount of \$1,500,000;
- b. General damages for pain, suffering and loss of reputation in the amount of \$250,000;
- c. Aggravated and/or punitive damages in the amount of \$100,000;
- d. Prejudgment and postjudgment interest in accordance with sections 128 and 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- e. The costs of this proceeding on a substantial indemnity basis, plus all applicable taxes, and;
- f. Such further and other relief as the plaintiff may advise and as this Honourable Court may seem just.

2. The Defendants acted for the Plaintiff with respect to various litigation matters starting in late 2020, including defamation actions and disciplinary proceedings initiated by the College of Physicians and Surgeons of Ontario. Their representation of the Plaintiff was negligent, constituted a breach of contract and a breach of the fiduciary duties, causing the Plaintiff significant damages.

Date: February 23, 2024

**CAZA SAIKALEY s.r.l./LLP**  
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Lawyers for the Plaintiff, Dr. Kulvinder Gill

**DR. KULVINDER GILL**  
Plaintiff

-and-

**ROCCO GALATI**  
Defendant

Court File No.:

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*ONTARIO*  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced in Toronto

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**NOTICE OF ACTION**

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Lawyers for the Plaintiff, Dr. Kulvinder Gill