

Court File No. CV-24-00714780-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N :

DR. ASHVINDER KAUR LAMBA

Plaintiff

and

ROCCO GALATI and ROCCO GALATI LAW FIRM
PROFESSIONAL CORPORATION

Defendants

REPLY TO STATEMENT OF DEFENCE

1. The plaintiff, Dr. Lamba, repeats and relies upon her allegations in the Statement of Claim in reply to the Statement of Defence, along with all terms defined therein.
2. Dr. Lamba denies all of the allegations in the Statement of Defence unless expressly admitted.
3. In reply to paragraph 4, Dr. Lamba had no existing professional relationship at the time she retained the Galati Defendants. The Galati Defendants advised her to bring her claim in conjunction with that of Dr. Gill on the basis that they concerned the “same thing” or words to that effect. Dr. Lamba reasonably relied on the advice of her counsel to her detriment and therefore did not provide informed consent.
4. In reply to paragraphs 6 and 12, Dr. Lamba never directed the Galati Defendants to take direction or instruction from Dr. Gill, and Dr. Lamba puts the Galati Defendants to the strict proof thereof.

5. In reply to paragraph 7, the fact that the negligence of the Galati Defendants was not argued on appeal is wholly irrelevant and immaterial. Regardless, the Court of Appeal's Reasons implicitly recognize that the Galati Defendants failed to properly articulate and advance Dr. Lamba's case and otherwise acted negligently, all as pleaded in the Statement of Claim. Dr. Lamba pleads and relies upon the Court of Appeal's Reasons.

6. In reply to paragraphs 11, 13, 14 and 15(i), along with the Statement of Defence as a whole, Dr. Lamba does not possess legal expertise and reasonably relied on the Galati Defendants and their employees/agents to properly advise her on all aspects of her case, including but not limited to, the proper parties to sue, the joining of her claim with Dr. Gill's, and the pleaded allegations in the Statement of Claim.

7. In reply to paragraph 15(c), the Galati Defendants never recommended that Dr. Lamba produce financial records and Dr. Lamba therefore never refused to do so.

8. In reply to paragraph 19, the lawyer to whom the Galati Defendants introduced Dr. Lamba did not possess specialized knowledge in defamation law.

Date: May 13, 2024

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Lawyers for the Defendants

-and-

**ROCCO GALATI and ROCCO GALATI LAW FIRM
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PROCEEDING COMMENCED AT
TORONTO

REPLY TO STATEMENT OF DEFENCE

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