ONTARIO

Superior Court of Justice

Notice of Motion and Supporting Affidavit Form 15A Ont. Reg. No.: 258/98

	Toronto	SC-23-00007950-0000	
	Small Claims Court	Claim No.	
	47 Sheppard Avenue East, 3rd Floor		
	Toronto, Ontario M2N 5N1		
 <i>1</i>	Address		
	(416) 326-3554		
***	Phone number		
Plaintiff No. 1	Additional plaintiff(s) liste	ed on attached Form 1A.	
Last name, or name of company			
MacKenzie			
First name	Second name	Also known as	
Jeremy			
Address (street number, apt., unit)			
City/Town	Province	Phone no.	
Postal code Email add		ail address	
Representative	<u> </u>	Law Society of Ontario no.	
Fred Wu (Frederick Wu Professio	nal Corporation)	73101W	
Address (street number, apt., unit)			
1 King Street West, Suite 4800, Bo	ox 229		
City/Town	Province	Phone no.	
Toronto	Ontario	416-639-7639	
Postal code	Email address		
M5h 1A1	fred@wulaw.co	om	
Defendant No. 1			
Last name, or name of company			
Levant	1-	T.,	
First name	Second name	Also known as	
Ezra			
Address (street number, apt., unit)			
City/Town	Province	Phone no.	
Postal code	Email address		
Representative	l	Law Society of Ontario no.	
Sheldon Inkol, Blaney McMurtry I	LLP	62218G	
Address (street number, apt., unit)			
2 Queen Street East, Suite 1500			
City/Town	Province	Phone no.	
Toronto	Ontario	416-596-4276	
Postal code	Email address		
M5C 3G5	sinkol@blaney	sinkol@blaney.com	

Les formules des tribunaux sont affichées en anglais et en français sur le site www.ontariocourtforms.on.ca. Visitez ce site pour des renseignements sur des formats accessibles.

ONTARIO

Superior Court of Justice

PAGE 1A

Additional Parties

Form 1A Ont. Reg. No.: 258/98

SC-23-00007950-0000

Court File No./N° du dossier du greffe : SC-23-00007950-0000

Claim No.

☐ Plaintiff No.		Defendant No	o. 2
Last name, or name of company REBEL MEDIA HOLDINGS INC.			
First name	Second name	Als	so known as
Address (street number, apt., unit)			
City/Town	Province	Pr	none no.
Postal code		Fa	ax no.
Representative	LD.		60#
Sheldon Inkol, Blaney McMurtry L	LP	62	2218G
Address (street number, apt., unit)			
2 Queen Street East, Suite 1500			
City/Town	Province		none no.
Toronto	Ontario		16-596-4276
Postal code			ax no.
M5C 3G5		41	16-594-2692
☐ Plaintiff No.	\boxtimes	Defendant No	. 3
Last name, or name of company REBEL NEWS NETWORK LTD.			
First name	Second name	Als	so known as
Address (street number, apt., unit)			
City/Town	Province	Ph	none no.
Postal code		Fa	ax no.
Representative Sheldon Inkol, Blaney McMurtry L	I P		SO # 2218G
Address (street number, apt., unit)			2100
2 Queen Street East, Suite 1500			
City/Town	Province	DI	none no.
Toronto	Ontario		16-596-4276
Postal code	Ontario		ax no.
M5C 3G5			16-594-2692
☐ Plaintiff No.		Defendant No) .
Last name, or name of company			
First name	Second name	Als	so known as
Address (street number, apt., unit)		'	
City/Town	Province	Ph	none no.
Postal code		Fa	ax no.
Representative		LS	60#
City/Town	Province	Pr	none no.
Postal code		Fa	ax no.

FORM	I 15A PAGE 2	SC-23-00007950-0000		
		Claim No.		
	Complete Part A <u>or</u> Part B below, then complete the affidavit in support of motion on page 3.			
, TI	IIS COURT WILL HEAR A MOTION on NOVEMBER 18, 20 24, at	1:00PM		
A. IF	, 20, at	(Time)		
or as s	soon as possible after that time.			
This r	motion will be made by Ezra Levant, Rebel Media Holdings Inc., Rebel New	s Network Ltd.		
(choose	(Name of party) e one of the following)			
	by videoconference: Please see Zoom Details Below			
_	(Video conference details)			
	(Telephone conference details)			
Ш	in person, at: (Address of court location and courtroom numbe			
for th	e following order:	••,		
 □	the court's permission to extend time to (Specify)			
	the court's permission to extend time to (openly)			
П	set aside default judgment and noting in default.	·		
	set aside noting in default.			
	permission to file a Defence. permission to file a Defendant's Claim.			
	set aside order dismissing claim as abandoned.			
	terminate garnishment and/or withdraw writ(s).			
	· · · · · · · · · · · · · · · · · · ·			
	other: an order that the plaintiff post security for costs in the amount of \$5,250 i	into court, as provided		
	for in the Endorsement of Deputy Judge W. Wong dated May 8, 2024	nto ocurt, ao providou		
\boxtimes	ADDITIONAL PAGES ARE ATTACHED BECAUSE MORE ROOM WAS NEE	EDED.		
	DOCUMENTS ARE ATTACHED.			
	BOOOMENTO ARE ATTAONED.			
NOTE	: IF YOU FAIL TO ATTEND A MOTION, an order may be made against	you, with costs, in your		
	absence.	,, 222.0, y 0 a.		
	Join Zoom Meeting			
	https://ca01web.zoom.us/j/5945568005?pwd=oMsZfSj7RYIdGQnx	kb930a9vCcaj3W.1		

Meeting ID: 594 556 8005 Passcode: 52841564 Join by telephone: 855 703 8985 or 833 955 1088

Electronically filed / Déposé par voie électronique : 08-Nov-2024 Toronto Superior Court of Justice / Cour supérieure de justice Court File No./N° du dossier du greffe : SC-23-00007950-0000

FORM	15A PAGE 3 SC-23-00007950-0000
	Claim No.
B. Th	s motion in writing is made by
	(Name of party(ies))
for the	following order: (select one)
	assessing damages against
	(Name of defendant(s))
	who have/has been noted in default.
	substituted service of a plaintiff's claim or defendant's claim on
	(For a plaintiff's claim, name(s) of defendant(s); for a defendant's claim, name(s) of defendant(s) by defendant's claim)
	other:
	AFFIDAVIT IN SUPPORT OF MOTION
My na	me is Ezra Levant
-	(Full name)
l live i	n Toronto
	(Municipality & province)

I swear/affirm that the following is true:

Set out the facts in numbered paragraphs. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. I am a defendant in this action, and the CEO of Rebel News Network Ltd. As such, I have knowledge of the matters hereinafter deposed to. Where I state facts based on information and belief, I have stated the source of the information, and I do verily believe that what is set out herein is true.

THE JULY 25, 2023 PODCAST

- 2. This action arises from statements I made during an episode of The Ezra Levant Show that was broadcast on July 25, 2023 (the "July 25 Podcast"). The July 25 Podcast was recorded outside the courthouse in Lethbridge, Alberta during criminal proceedings related to charges against four participants in the Freedom Convoy protests (the "Coutts 4").
- 3. The Coutts 4 had been arrested on allegations that they conspired to kill Royal Canadian Mounted Police ("RCMP") officers. During the July 25 Podcast, which is over 43 minutes long and only accessible online behind a paywall, I reported on the controversy surrounding the Coutts 4, whom law enforcement agencies and media sources had linked to the Diagalon movement.
- 4. Diagalon is an extremist movement started by the plaintiff, Jeremy MacKenzie (the "Plaintiff"). I speculated in the July 25 Podcast that Diagalon began as a prank, which the Coutts 4 had taken too seriously. I also theorized that the mainstream media had exaggerated the threat posed by Diagalon to give the public "a right wing hate group out there that we had to be scared of."

Toronto Superior Court of Justice / Cour supérieure de justice

FORM 15A PAGE 4 SC-23-00007950-0000 Claim No.

AFFIDAVIT IN SUPPORT OF MOTION, continued

- During the July 25 Podcast, I pointed out the disparity between how the Coutts 4 had been treated by the authorities and the treatment the Plaintiff received in relation to a separate criminal investigation into his activities. In short, several serious firearms charges against the Plaintiff were abruptly dropped at the same time the Coutts 4 were facing significant prison time for their actions.
- When considering this disparity, I stated my honest opinion, which was that it looked to me like the Plaintiff could be a "fed".

POSITIONS OF THE PARTIES

- 7. The Plaintiff pleads in the Plaintiff's Claim that the July 25 Podcast states or implies the following, all of which are allegedly defamatory:
- That the Plaintiff founded an explicitly racist organization;
- That the Plaintiff is a government agent; and
- That the Plaintiff "concocted a social movement to entrap the Coutts Four in a criminal offence."
- 8. I stand by the Defence I have served in this action. To sum up:
- It has been widely reported that the Plaintiff founded Diagalon, which has been described by numerous media sources as an extremist group that espouses white supremacist beliefs. Such reporting has been published by Global News, CTV News, CBC News, The Globe and Mail, The National Post, and CityNews Halifax.
- My statements regarding the Plaintiff's potential status as a "fed" were clearly positioned as a personal opinion based on the facts, including the fact that serious criminal charges against the Plaintiff had been dropped for no apparent reason. Moreover, it is part of the public record that the Plaintiff testified before the Public Order Emergency Commission, during which he admitted reporting extremist activity to the RCMP, and that he was willing to have a continuing relationship with law enforcement to assist them with identifying threats to the public.
- At no point during the July 25 Podcast did I state or imply that the Plaintiff had done anything to intentionally entrap the Coutts 4.

CONTINUED ON EXTRA PAGES

If more space is required, attach and initial extra pages.

Sworn/Affirmed b	efore me (select one):	in person OR		
Complete if affida	vit is being sworn or affi	rmed in person:		
at the	of	, in the		
	own, etc.)		(County, Regional Municipality	/, etc.)
of		, on		
			(date)	
Signature	e of Commissioner (or as may	be)	Signature of Deponent	

4A

A Frivolous and Vexatious Action

- 9. There is good reason to believe that the Plaintiff's action is frivolous and vexatious.
- 10. As the founder and owner of Rebel News, and as a political commentator, I understand that my views are not shared by everyone and that speaking out on issues of public importance often attracts criticism from others. I have necessarily had to develop a "thick skin".
- 11. In my view, being an outspoken political activist is not for the faint of heart, and anyone entering into this arena should reasonably expect to attract critical comments from others. This is directly relevant to this particular case, for the following reasons:
 - The Plaintiff is a controversial public figure who has chosen to inject himself into divisive public debates. In fact, he is a "shock jock" who deliberately courts outrage and controversy. He calls his livestream a "RageCast" and uses the handle "RagingDissident" for his social media accounts.
 - The Plaintiff founded Diagalon, an extremist militia network that espouses white supremacy.
 - The Plaintiff regularly makes racist, misogynist, antisemitic, and abusive comments during his podcasts, including comments about me personally. Examples of the Plaintiff's public statements are included as exhibits to the Defence.
- 12. As a good example of a controversy the Plaintiff stirred up, he made headlines in September 2022 after he threatened to rape Anaida Poilievre, the wife of Conservative Leader Pierre Poilievre, during one of his online "RageCasts".
- 13. The Plaintiff later said that he was only joking when he threatened to rape a politician's wife. However, he was publicly denounced by not only the Conservative Party leader, but also Prime Minister Trudeau and NDP leader Jagmeet Singh for his statements.
- 14. In fact, the Plaintiff was identified as a national security risk by Marco Mendicino, who was at the time the Public Safety Minister.
- 15. On August 5, 2023, the Plaintiff posted the home address of a Jewish journalist and used an extremely derogatory slur for Jews when he commented "What kind of wine pairs best with a doxed kike?" "Kike" is an extremely derogatory term for a Jewish person. A true copy of the Plaintiff's Telegram post as published on August 23, 2023 is attached hereto as Exhibit "A".
- 16. On February 19, 2024, the Plaintiff posted a link to RageCast 423 on Gab, an American microblogging and social networking service. The post reads:

Diagolon would like to submit Canada as our entry nomination for the category of "Best Weimar Cover Band" at this years 'Race to the bottom' awards.



4B

We are confident we have a winner! Now give your kids some sex toys, chop off your sex organs and stick experimental drugs in your arms!

If you don't you're a bigot (We like bigots)

A true copy of the Plaintiff's Gab post as published on February 19, 2024 is attached hereto as Exhibit "B".

- 17. Despite the Plaintiff's activities and public reputation, he has chosen to sue me over my relatively mild comments, which were stated as opinions during a podcast that can only be viewed behind a paywall.
- 18. I do not believe that the Plaintiff is genuinely upset about anything I said during the July 25 Podcast. On the contrary, he has used it as an opportunity for publicity.
- 19. The Plaintiff has described this litigation as "lawfare", and on August 7, 2023 posted the following message on Telegram:

I've never sued anyone before, let alone numerous people. Might as well do all the lawfare at the same time. Who doesn't like learning new skills?

A true copy of the Plaintiff's Telegram message as published on August 7, 2023 is attached hereto as **Exhibit "C"**.

- Since the July 25 Podcast, the Plaintiff has continued to post offensive and derogatory
 comments about me, which in my view are far worse than anything I stated in the July 25
 Podcast.
- 21. Late on the night of July 25, 2023, the Plaintiff posted the following statement on Telegram (punctuation as in the original):

For years, Ezra has used videos and work of mine to benefit and profit from personally without any credit or acknowledgement given to me. He enjoys the safety and comfort of living in a nation like Canada while my friends and I took up arms for her. Now he wants to slander me, my friends and this entire community because his failing business is bleeding money and hes desperate for clicks.

Ezra Levant is a legacy member of gatekeeper media in this country and has been instrumental in perpetuating the controlled demolition of Canada.

Give him the attention he wants by harping on how much of a coward he is and that he wont face the man he claims to know so much about.

E.C.

4C

He's a coward and a liar. He always has been.

The nails are in the coffin - GIVE ME THE HAMMER.

A true copy of the Plaintiff's Telegram message as published on July 25, 2023 is attached hereto as **Exhibit "D"**.

22. On July 30, 2023, the Plaintiff posted a derogatory image with the following caption under it:

"Artist rendering of Ezra Levant holding donation money gifted from right wing Canadian citizens after calling Nationalists feds"

A true copy of the Plaintiff's Telegram message as published on July 30, 2023 is attached hereto as **Exhibit** "E".

23. The Plaintiff has publicly referred to me as being part of "Jew supremacist media". On January 3, 2024, the Plaintiff fabricated an audio statement using my voice and posted it on Telegram as "an exclusive statement from Ezra". The fake statement is highly offensive, and speaks for itself:

Tonight on Rebel Jews, I, your controlled opposition overlord Ezra Levant, will grift even harder. We're going to grift like you cannot even believe. Then I will shove a dildo up my ass just to defeat Jeremy MacKenzie and his racist Nazi friends. Join us at FundEzra'sDildoPurchase.com.

A true copy of the Plaintiff's Telegram message as published on January 3, 2024 is attached hereto as **Exhibit** "F". The copy of the recording is available to be played during the hearing of this motion.

- 24. The settlement conference in this matter was scheduled to take place on May 8, 2024. In a Telegram post published on March 26, 2024, the Plaintiff called me "a laughing stock" and indicated that "Court is in May". A true copy of the Plaintiff's Telegram message as published on March 26, 2024 is attached hereto as Exhibit "G".
- 25. In other Telegram posts published on March 26, 2024, the Plaintiff referred to me as being "fat and slovenly" and a "lying sack of shit". He added the following:

When he inevitably goes out of business I think I'll book a weekend off to celebrate all the pensioners that will no longer be preyed upon for endless grifts by this creature.

A true copy of the Plaintiff's Telegram messages as published on March 26, 2024 is attached hereto as Exhibit "H".



40

26. On April 19, 2024, in a post referring to "legally actionable comments" made by someone named Rachel, the Plaintiff stated "I'm not a faggot, but it will give my lawyers something to do." He added that he would "be done with Ezra next month". A true copy of the Plaintiff's Telegram message as published on April 19, 2024 is attached hereto as Exhibit "I".

Entitlement to Security for Costs

27. There is no rule in the Small Claims Court that addresses security for costs. However, the Rules of the Small Claims Court provide at s. 1.03 (2) as follows:

Matters Not Covered in Rules

- (2) If these rules do not cover a matter adequately, the court may give directions and make any order that is just, and the practice shall be decided by analogy to these rules, by reference to the *Courts of Justice Act* and the Act governing the action and, if the court considers it appropriate, by reference to the Rules of Civil Procedure. O. Reg. 78/06, s. 3.
- 28. According to Rule 56.01(1) of the Rules of Civil Procedure, where it appears that a plaintiff is ordinarily resident outside of the Province of Ontario, the court may make an order for security for costs as is just.
- 29. The Plaintiff resides in the Province of Nova Scotia, and it is my belief that the Plaintiff has no assets in Ontario with which to satisfy a judgment against him.
- 30. The Plaintiff has retained counsel to represent him in this action, suggesting that he is not impecunious.
- 31. Having said that, if the Plaintiff is impecunious, it is my position that an order for security for costs would be just. In other words, justice does not demand that the Plaintiff be permitted to continue with this action.
- 32. I swear this affidavit in support of a motion for security for costs, and for no other or improper purpose.



Court File No./N° du dossier du greffe : SC-23-00007950-0000

FORM 15A	PAGE 5	SC-23-00007950-0000
		Claim No
a contract to the contract of		
	n/affirmed by videoconference and depone	ent and commissioner are in same
city or town:	ACCEPTAGE ACCEPTAGE AND ACCEP	160 法 200 賽時 國際 医眼丛 医乳管切除 前
by Ezra Levant	at the	City
(depor	nent's name)	(city, town, etc.)
of Toronto	in the Provin	nce
	WARRING CO.	(County, Regional Municipality, etc.)
of Ontario	, before me or	August 2, 2024
	, , , , , , , , , , , , , , , , , , , ,	(date)
in accordance with O Res 431/20), Administering Oath or Declaration Remo	. ,
in accordance with o. Neg. 451/20	2, Administering Oath of Declaration Remo	nery.
Commissioner for Taking Affidavits	s (or as may be)	
	(0. 40 1.14) 20)	CYV
		4 Cm.
Signature of Commissioner (c	or as may be)	Signature of Deponent
2		
same city or town:	n/affirmed by videoconference and depone	nt and commissioner are not in
by	at the	
(denon	iant's nama)	(city town atc.)
of	in the	
And the second s	Approximation of the Approxima	(County, Regional Municipality, etc.)
of	hafa-a at	
	, before me at	(city town etc.)
of.	Y- 84	(on), source class
of	in the	County Basispal Municipality etc.)
of	, on	in accordance
		(date)
with O. Req. 431/20, Administering	Oath or Declaration Remotely.	
Commissioner for Taking A 573 - 73	. (a. a. a. a b.)	
Commissioner for Taking Affidavits	s (or as may be)	
Signature of Commissioner (o	r as may be)	Signature of Deponent
•	•	

WARNING: IT IS AN OFFENCE UNDER THE CRIMINAL CODE TO KNOWINGLY SWEAR OR AFFIRM A FALSE AFFIDAVIT.



For information on accessibility of court services for



people with disability-related needs, contact:

Telephone: 416-326-2220 / 1-800-518-7901 TTY: 416-326-4012 / 1-877-425-0575

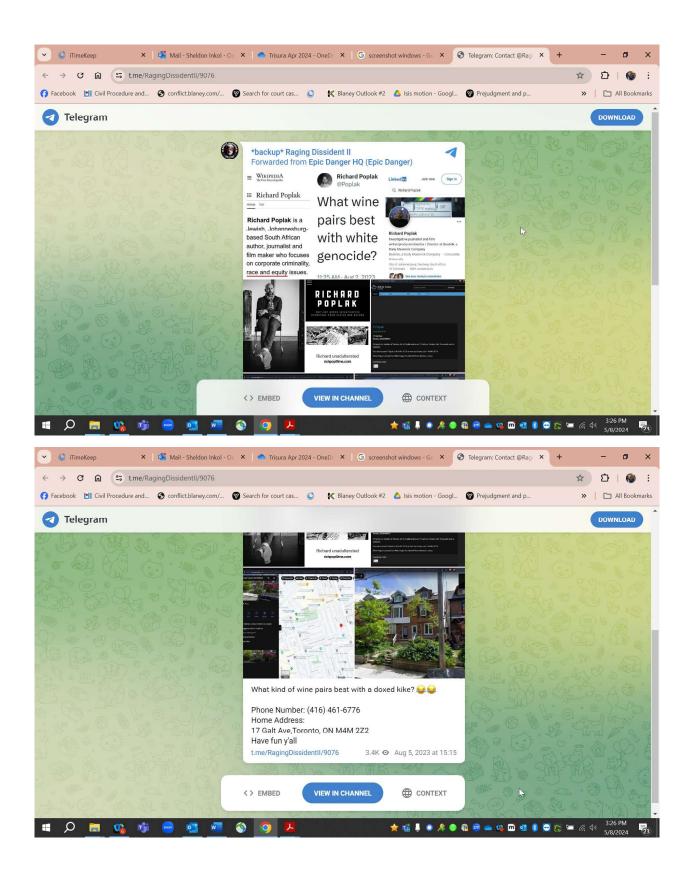
SCR 15.01-15A (August 1, 2022) CSD

Court File No./N° du dossier du greffe : SC-23-00007950-0000

This is Exhibit "A" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

uguot 2, 2024.

Commissioner for Taking Affidavits (or as may be)



This is Exhibit "B" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)

Court File No./N° du dossier du greffe : SC-23-00007950-0000 Electronically filed / Déposé par voie électronique : 08-Nov-2024

7/JOV24; Superior Court of Justice / Cour supérieure de justice 7/JOV24; Superior Court of Justice / Cour supérieure de justice 7/JOV24; Superior Court of Justice / Cour supérieure de justice



Search Gab





Log in

Sign up





RageCast 423: NO STEP ON LEAF

745pm est

Diagolon would like to submit Canada as our entry nomination for the category of "Best Weimar Cover Band" at this years 'Race to the bottom' awards.

We are confident we have a winner! Now give your kids some sex toys, chop off your sex organs and stick experimental drugs in your arms!

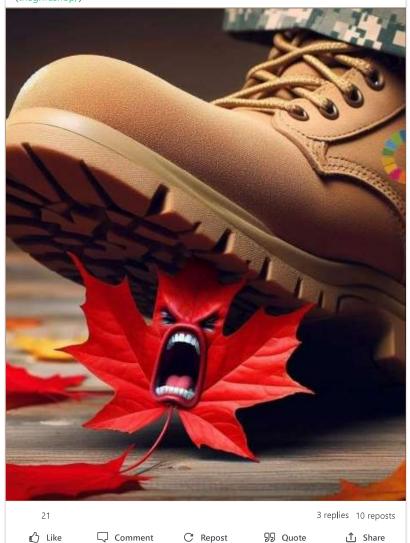
If you don't you're a bigot (We like bigots)

DSTREAM LINKS:

Entropy (entropystream.live/RagingDissident) * Rumble (rumble.com/c/RagingDissident) * Odysee (odysee.com/@RagingDissident:0) * YouTube (youtube.com/@RagingDissidentVIII/streams) * Kick (kick.com/ragingdissident) *

PMRM+IE+F+BMTTMR+PFI

WEBSITE • (raging dissident.com/)COMMUNITY • (t.me/diagolon prime)MERCH (thegrift.shop/)

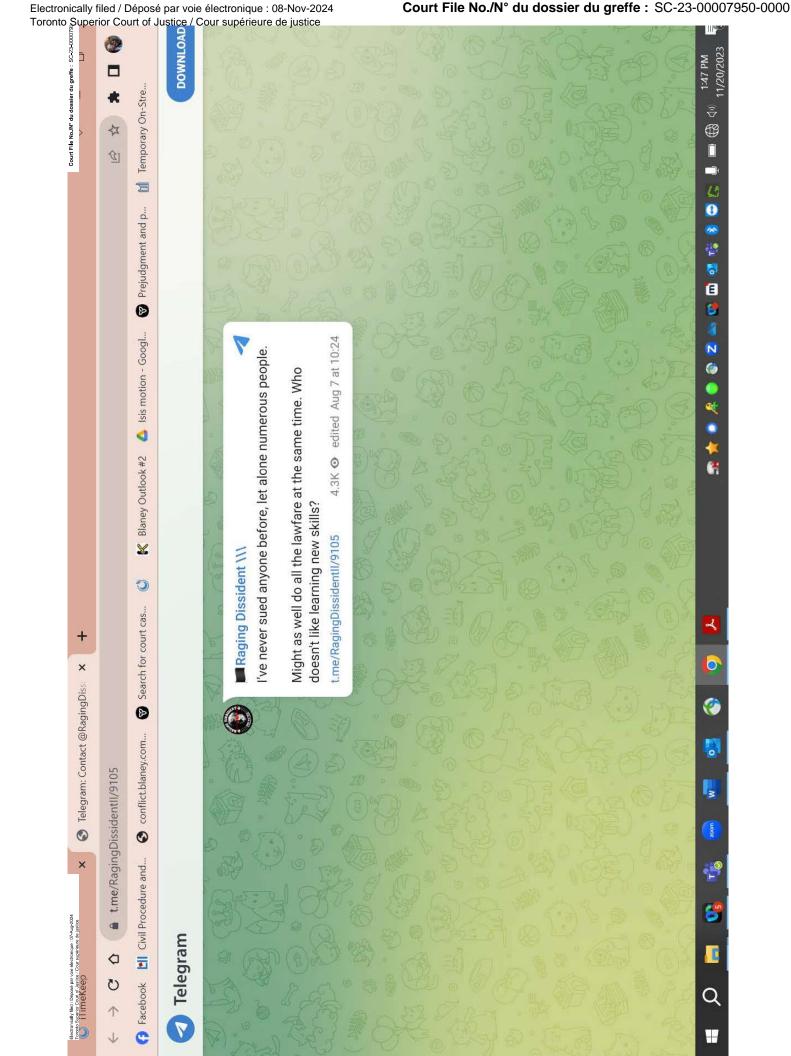


Post as comment

Add context ▼

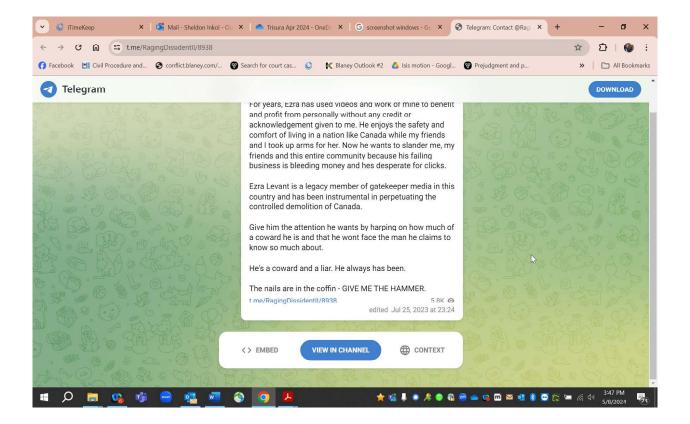
This is Exhibit "C" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)



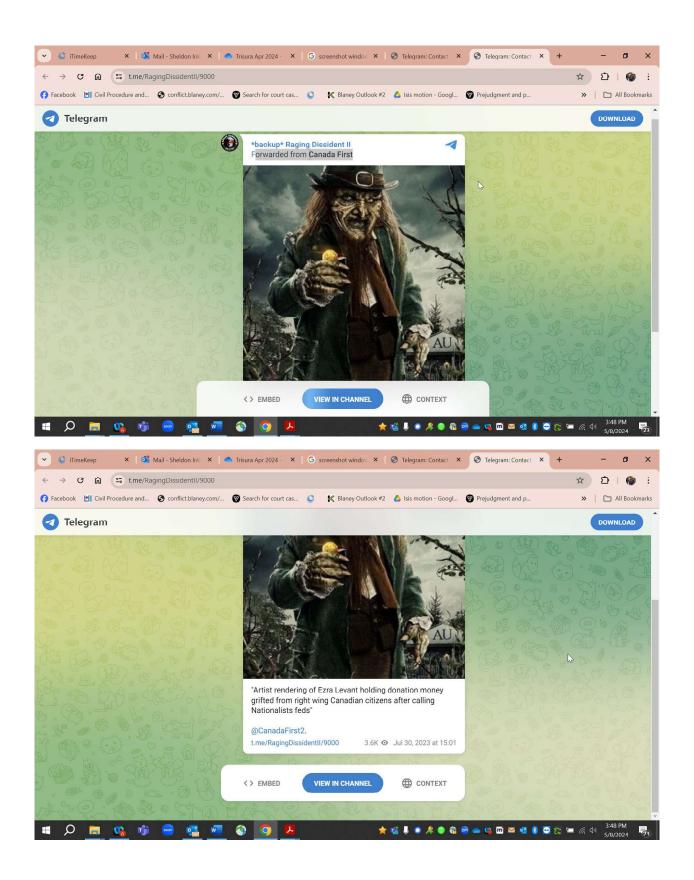
This is Exhibit "D" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)



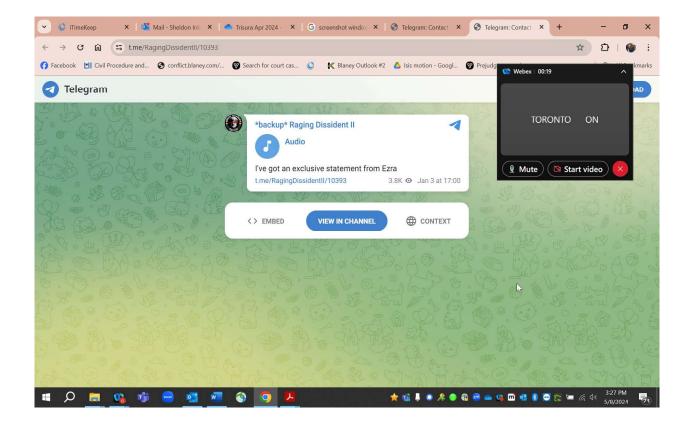
This is Exhibit "E" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)



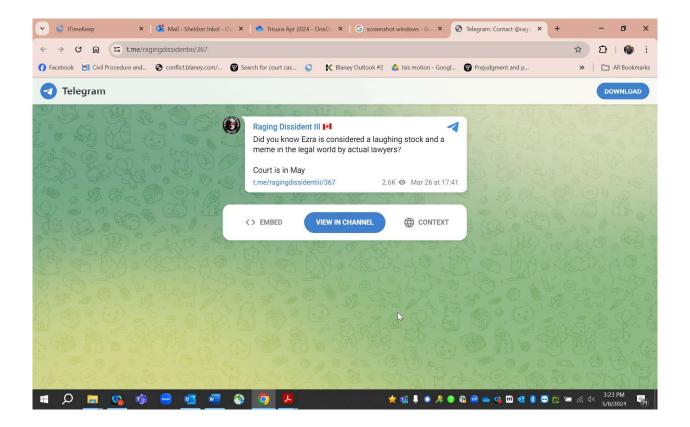
This is Exhibit "F" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)



This is Exhibit "G" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

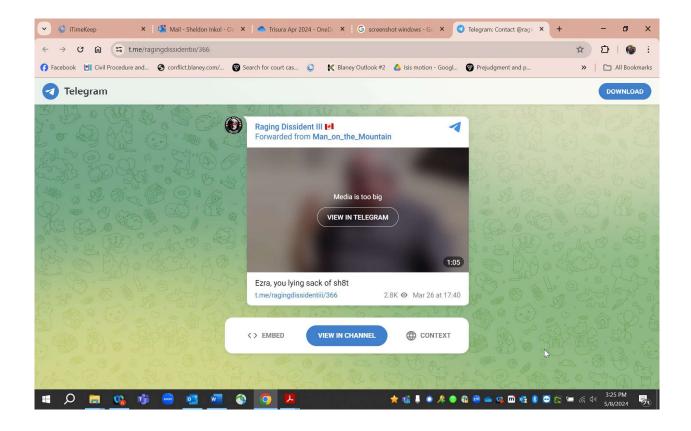
Commissioner for Taking Affidavits (or as may be)

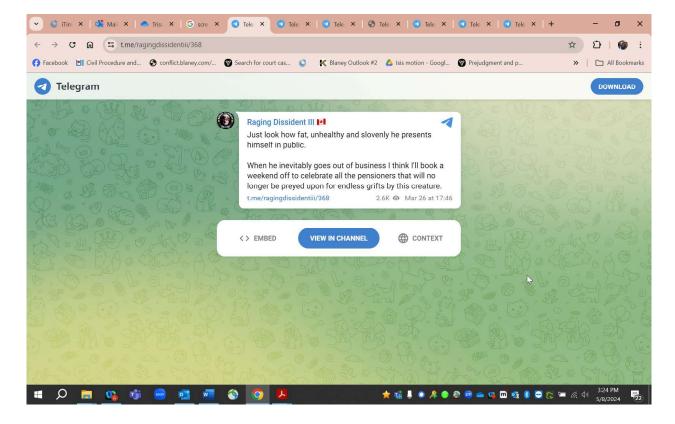


Electronically filed / Déposé par voie électronique : 08-Nov-2024 Toronto Superior Court of Justice / Cour supérieure de justice Court File No./N° du dossier du greffe : SC-23-00007950-0000

This is Exhibit "H" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)





Electronically filed / Déposé par voie électronique : 08-Nov-2024 Toronto Superior Court of Justice / Cour supérieure de justice Court File No./N° du dossier du greffe : SC-23-00007950-0000

This is Exhibit "I" referred to in the Affidavit of Ezra Levant sworn August 2, 2024.

Commissioner for Taking Affidavits (or as may be)

