

ONTARIO  
Superior Court of Justice



Toronto  
Small Claims Court  
47 Sheppard Avenue East,  
Toronto, ON M2N 5N1  
Address  
416-326-3554  
Phone number

Plaintiff's Claim  
Form 7A Ont. Reg. No.: 258/98  
SC-14-4776-08  
Claim No.

M

Plaintiff No. 1

Additional plaintiff(s) listed on attached Form 1A.

Under 18 years of age.

Last name, or name of company <b>LEHRER</b>		
First name <b>ANDY</b>	Second name	Also known as
Address (street number, apt., unit)		
City/Town <b>TORONTO</b>	Province <b>ONTARIO</b>	Phone no.
Postal code		Fax no.
Representative		LSUC#
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.

Defendant No. 1

Additional defendant(s) listed on attached Form 1A.

Under 18 years of age.

Last name, or name of company <b>ROURKE</b>		
First name <b>TIM</b>	Second name	Also known as
Address (street number, apt., unit)		
City/Town <b>TORONTO</b>	Province <b>ONTARIO</b>	Phone no.
Postal code		Fax no.
Representative		LSUC#
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.

Les formulaires des tribunaux sont affichées en anglais et en français sur le site [www.ontariocourtforms.on.ca](http://www.ontariocourtforms.on.ca). Visitez ce site pour des renseignements sur des formats accessibles.

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PAGE 1A

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

Claim No. \_\_\_\_\_

 Plaintiff No. Defendant No. 2

Last name, or name of company <b>EASY DNS TECHNOLOGIES INC.</b>		
First name	Second name	Also known as <b>EASYWEB</b>
Address (street number, apt., unit) <b>300A-219 DUFFERIN STREET</b>		
City/Town <b>TORONTO</b>	Province <b>ONTARIO</b>	Phone no. <b>416-838-8872</b>
Postal code <b>M6K 3J1</b>		Fax no. <b>1-847-438-8227</b>
Representative		LSUC #
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.

 Plaintiff No. Defendant No.

Last name, or name of company		
First name	Second name	Also known as
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.
Representative		LSUC #
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.

 Plaintiff No. Defendant No.

Last name, or name of company		
First name	Second name	Also known as
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.
Representative		LSUC #
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code		Fax no.

**FORM 7A**

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Claim No.

**REASONS FOR CLAIM AND DETAILS**

Explain what happened, including where and when. Then explain how much money you are claiming or what goods you want returned.

If you are relying on any documents, you **MUST** attach copies to the claim. If evidence is lost or unavailable, you **MUST** explain why it is not attached.

**What happened? (SEE PAGE 4)**

**Where?**

**When?**

FORM 7A

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Claim No.

How much? \$ 25,000  
(Principal amount claimed)

ADDITIONAL PAGES ARE ATTACHED BECAUSE MORE ROOM WAS NEEDED.

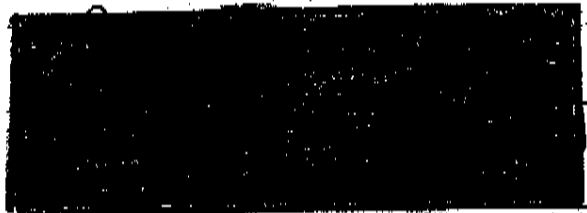
The plaintiff also claims pre-judgment interest from May 7, 2014 under:  
(Date)

(Check only one box)  the Courts of Justice Act  
 an agreement at the rate of \_\_\_\_\_ % per year

and post-judgment interest, and court costs.

Prepared on: August 7, 20 14

Issued on: AUG 07 2014, 20 \_\_\_\_\_



(Signature of clerk)

**CAUTION TO DEFENDANT:** IF YOU DO NOT FILE A DEFENCE (Form 9A) and an Affidavit of Service (Form 8A) with the court within twenty (20) calendar days after you have been served with this Plaintiff's Claim, judgment may be obtained without notice and enforced against you. Forms and self-help materials are available at the Small Claims Court and on the following website: [www.ontariocourtforms.on.ca](http://www.ontariocourtforms.on.ca).



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

FORM / FORMULE 7A

PAGE 4

Claim No. / N° de la demande

- 1) On or about May 7, 2014, I learned that on or about April 27, 2014, harassing, defamatory and libellous statements about me had been posted on the internet on a website owned by the Defendant, Tim Rourke ("Rourke"), and hosted by the Defendant, EasyDNS Technologies Inc. ("EasyDNS") at the following Uniform Resource Locator (URL) pages:
  - a) <http://www.causepimps.ca/andy-lehrer/top.html> (hereafter referred to as "Webpage 1")
  - b) <http://www.causepimps.ca/andy-lehrer/contributed%20about%20lehrer.html> (hereafter referred to as "Webpage 2")
  - c) <http://www.causepimps.ca/andy-lehrer/ARA/ara.html> (hereafter referred to as "Webpage 3")
- 2) The aforementioned pages, along with the entire site located at <http://www.causepimps.ca> and several other domain owned by Rourke had previously been hosted by the internet provider HostPapa Inc., but had been removed from the internet by HostPapa Inc. on or about March 18, 2014, apparently due to violations by the website content of the company's terms of service agreement with Rourke
- 3) From approximately April 2013 until February 2014, the pages in question had been hosted by the internet service provider Fused until the [causepimps.ca](http://www.causepimps.ca) site was suspended, apparently due to violations by Rourke of the company's terms of service agreement.
- 4) Notices of Libel pursuant to the Libel and Slander Act, R.S.O. 1990, c. L. 12 were served on or about May 7, 2014, on Rourke and EasyDNS demanding the removal of the defamatory material outlined below. Rourke did not reply, though delivery of the notice was confirmed by his signature. Mark E. Jevtovic, Chief Executive Officer of Easy DNS, replied refusing to remove the material claiming that "Whether the content is defamatory or not is a dispute between you and the customer and a matter for the courts" and denying any legal responsibility for the contents of the website.

## BACKGROUND

- 5) Rourke has been engaging in a cyberbullying, harassment and online defamation campaign against various individuals and organizations for over a decade. Most of his

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attention has been directed at a non-profit tenant association, the Federation of Metro Tenants Associations ("FMTA"), and its current and former staff and board members. Rourke was a member of the FMTA's board of directors until approximately 2000 when he was barred from the organization for allegedly physically attacking another board member. Since that time, Rourke has vindictively engaged in a campaign of harassment, vilification and defamation against the FMTA, its staff, board and volunteers. Approximately ten years ago, Rourke established a website attacking the organization and numerous individuals involved with it by name on a now defunct website which was located at URL <http://www.torontotenantsassociations.ca>. In 2009, Rourke added a gallery consisting of images of individuals involved with the FMTA and short descriptions of them, many of which defamatory or otherwise unflattering and insulting. The gallery in question is now located at the URL <http://www.causepimps.ca/FMTA/gallery.html>.

- 6) Also in 2009, Rourke created the "Cause Pimps" website which was devoted to lengthier defamatory attacks of a personal nature against individuals involved with the FMTA as well as other individuals and organizations, mostly anti-poverty and community activists, which Rourke wished to vilify.
  
- 7) I was elected to the FMTA's board in or around June 2008 and became its vice-chair shortly thereafter and remained on the board until November 25, 2009, when I resigned as commitments on another board I was serving on concurrently did not allow me enough time to devote to the FMTA. At about the same time, I was added to the gallery on Rourke's anti-FMTA webpage and a page attacking me was created by Rourke on his "Cause Pimps" website. In August 2010, Webpage 1 was removed from the Google web search engine due to copyright violations. Specifically, Rourke had illicitly used a photograph of me that had been created by a friend of mine at his house. A copy was made without permission from my friend's Facebook page and used by Rourke on his website. Rourke subsequently retaliated by creating Webpage 2, Webpage 3, and various other pages under the subdomain <http://www.causepimps.ca/andy-lehrer/>

## **DEFAMATORY AND LIBELLOUS STATEMENTS**

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8) The intention of these pages is to maliciously harass and defame me in order to injure my reputation. The pages make various false allegations that are defamatory under the *Libel and Slander Act* (Ontario) (R.S.O. 1990, CHAPTER L.12) and common law. The pages also constitute tortuous harassment of me..

9) Below, I have noted some of the more malicious, libellous and defamatory comments published on your websites. If I am forced to file suit to stop your wrongful conduct, I will also seek an award of his legal costs on a substantial indemnity basis. The malicious, libelous and defamatory material includes

**A) Webpage 1**

10) Falsely claims that I am a "Forex trader" or a "tout or bird dog". In fact I have never been a Forex trader and have never advised anyone or undertaken any advocacy in regards to foreign exchange trades.

11) Incorrectly states that I was "co-chair" of the Federation of Metro Tenants' Associations and falsely claims that I "withdrew from that position saying it was necessary so the FMTA wouldn't be found responsible for what he is going to do" In fact I never said any such thing. The suggestion that I left to evade some sort of responsibility for some sort of action is false and defamatory.

12) Falsely claimed that I "head[ed] up" a group that "took over" CKLN Radio and falsely claims that I wanted to "give a very large timeslot on CKLN to FMTA and other extremist groups." I did not advocate the awarding of any timeslots to FMTA or "extremist groups" and, in fact, the FMTA did not have a timeslot on CKLN during my period on the CKLN Board. The suggestion that I used my position on CKLN's Board in this way is false and defamatory.

13) In regards to the St. James Town Residents Association, falsely claims that I was not a tenant in St. James Town in 2007 when *NOW Magazine* published an article on the association. The suggestion that I lied or misrepresented my residency is false and defamatory.

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- 14) Falsely claims that I have participated in "internet harassment campaigns."
- 15) The page falsely claims that Michael Laxer and myself made a bogus claim of copyright violation in order to have an earlier version of Webpage 1 removed from Google's index. In fact, the version of that page at the time of my complaint included a picture of me which had been cropped from a picture on Michael Laxer's Facebook page which you used without permission from Mr. Laxer or myself. As the picture was owned by Mr. Laxer the claim that Mr. Rourke had violated his copyright was entirely correct.
- 16) The page falsely claims that I placed an ad on Kijiji "advertising [my] services to attack other people's web sites." The advertisement was actually placed by an imposter and as soon as I was informed of its existence by a third party I contacted Kijiji to complain and they removed it immediately – the following page is verification of this:  
<https://help.kijiji.net/ca/ticket.php?track=TVD655JY1D&Refresh=33501>. The claim that I placed the ad is malicious libel. Despite this, you have not removed this claim in the months since I informed you that it was false.

**B) Webpage 2**

- 17) In regards to my being arrested at a demonstration outside the Royal Ontario Museum in June 1990, the page falsely states:

"but as usual his charges are dropped, but not most of the others. After all the repeated raids and arrests since he joined, the activists get suspicious and kick him out of the group."

This statement is false and defamatory. The charges against nine out of eleven individuals were withdrawn; a tenth individual was acquitted due, in part, to testimony I gave as a defence witness. I was not a member of the committee that organised the demonstration and was not suspected by or barred from any such organization. Nor was the organization every subject to "raids". The claims made by you are false and malicious.

- 18) In another portion of the page Rourke falsely and maliciously states:



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"Andy is quite at home back in Toronto, with his new name, and his past history, contacts and suspicions about him being a paid operative for the authorities against the Mumia organizers all forgotten."

This statement is false and defamatory. I was never an operative, paid or otherwise "for the authorities against the Mumia organizers" nor did any "Mumia organizers" or organizers of the 1990 demonstration at the Royal Ontario Museum ever have any such suspicions.

19) In regards to Anti-Racist Action, the page falsely states:

"Mick from ARA blames Andre-Andy for the breakup of the original group citing that Andy insisted on being their researcher but about 1/3 of the people he claimed were neo-Nazis and sent ARA after were anything but, they were only Andy's personal enemies."

This statement is false and defamatory. I was not a member of Anti-Racist Action in the 1990s or when any individual named "Mick" was a member and was not involved in any way with the "breakup of the original group", nor was I ever the organization's "researcher", nor did I ever claim that my "personal enemies" were neo-Nazis.

20) Further the page claims:

"Andre, now known as Andy is much happier with the new ARA run by Shane Martinez, because Andy says Shane doesn't "hold back" like the old ARA did!."

This statement is false and defamatory; I have never said any such thing.

21) In regards to Queen's University and the Canadian Federation of Students (CFS) the page falsely states:

"Andre boasts he is being sent to Kingston to enroll at Queen's University and it is all going to be paid for by the Canadian Federation of Students."

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This statement is false and defamatory. A) I was not "sent to" Queen's University by the Canadian Federation of Students; B) I have never been offered nor received any payment, whatsoever by the Canadian Federation of Students, C) I have never made any such claim or boast.

22) The page falsely claims:

"One of Andre's first actions as a Queen's University student is to start a \$500,000 lawsuit against the OUSA student union to bring it down to allow a CFS takeover."

This statement is misleading and defamatory. In early 1996, I led a successful campaign for the Alma Mater Society of Queen's University to leave the Ontario Undergraduate Students Alliance (OUSA). Subsequently, OUSA then filed a frivolous and vexatious lawsuit against me and, in late 1996, I filed a countersuit against OUSA. Both parties agreed to withdraw our respective lawsuits without any monies being paid by either party. The Canadian Federation of Students had no involvement, whatsoever, with the lawsuit. I was not involved with any attempt to have Queen's University join the CFS, nor was any such move attempted. The suggestion that I attended Queen's University in order to file such a lawsuit or that my legal action had anything to do with the CFS is false and defamatory.

23) The page falsely and maliciously claims:

"With his only gainful employment in thirty years being in Kingston as a taxicab driver"

This statement is false, malicious and defamatory. I had several years of "gainful employment" at various companies prior to my 30<sup>th</sup> birthday.

24) The page states:

"if you don't include the tuition paid for by the CFS for breaking the encumbent [sic] student organization"

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This statement is false and defamatory. As stated previously I was never offered nor given payment by the Canadian Federation of Students in any way, either directly or through the payment of my tuition.

25) "or any money he may have received in Toronto from the Intelligence Squad,"

This statement is false and defamatory. I have never worked for nor received any payment from the Toronto Police Service or its "Intelligence Squad".

26) The page falsely and maliciously claims:

"Andy gets a part time contract at George Brown assisting disabled students ... but the contract isn't renewed, because Andy is up to his old tricks of setting people against each others [sic] in the hopes of securing power and a full time position for himself. Almost a decade later Andy is still using the narrative that he helps disabled students, though he only did that for a year a long time ago and George Brown didn't want him nor did the students."

The only true part of the above statement is that I have worked for George Brown College in this capacity. The rest of the paragraph is utterly false, defamatory and malicious and designed to hurt my employability.

27) In regards to my residency in the St. James Town neighbourhood in 2007, the page falsely states:

"Andy living in his tony Bay Street condominium with concierge, [sic] under the false claim of living in the impoverished St. Jamestown neighbourhood, create the fictional St. James Town Residents Association, as a means of getting income from fake memberships. He even gets a story in NOW magazine because they don't verify his story."

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This statement is false and defamatory. In fact, I was a tenant in an apartment at 260 Wellesley Street East in St. James Town for several years, including in 2007 when the St. James Town Residents Association was created and at the time of the NOW magazine article. The suggestion that the association was created "as a means of getting income from fake memberships" is utterly false and defamatory. There was no membership fee, nor were any donations either solicited or received.

28) The page makes the following false and defamatory statement:

"Between flogging his Socialist Worker newspapers for Socialist Alternative at events, where Federation of Metro Tenants' Associations hack, and Communist Party of Canada organizer, since 1990, Howard Tessler is flogging their publication People's Voice, and their meeting up at Communist Party of Canada meetings and both trying to get funding from pimping the story of the poor people of St. Jamestown. The 2 likeminded people get connected and Andy gets interested in the FMTA, becoming its Co-Chair in 2009. At first Howard said Andy was his "perfect weapon" calling Andy a "sociopath"."

In fact, I have never met Mr. Tessler at a meeting of the Communist Party of Canada and, in fact, never met him or had any knowledge of him prior to my joining the board of the Federation of Metro Tenants' Associations in mid-2008. Mr. Tessler had no involvement in my joining the FMTA and has never referred to me in the way suggested above. Further, the "perfect weapon" and "sociopath" statements are false and defamatory in the extreme.

29) The page makes the following false and defamatory statement:

"Andy even got another job this time at Seneca College, thanks to his Socialist Party of Ontario cohort Andrew Klocheck's father who teaches there, but even that connection could not get his contract renewed with all the chaos Andy created between the personel.[sic]"

This statement is false and defamatory. In fact I have never been an employee of Seneca College, do not know and have never met Andrew Klocheck's father and, consequently,

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Professor Klochek has never attempted to aid me in obtaining employment. The claim that I "could not get [my] contract renewed" is false as I have never had a contract with Seneca College and the claim that I caused "chaos" between personnel is utterly false and defamatory.

30) In regards to the Ontario Health Coalition, you make the following false, defamatory and malicious statements:

- (a) "Andy was certain the OHC would be his ticket to money and power. He stole most of his brilliant ideas from 2 seniors on the group and worked his way up to President on their coattails."

In fact I never "stole" any ideas and have never been, nor claimed to be, nor sought to be, a member of the Ontario Health Coalition's governing body let alone President. Nor did I ever view the OHC as my "ticket to money and power." These claims are utterly false, malicious and defamatory.

- (b) "On October 6, 2008, the OHC released the report Eroding Public Medicare. As President of the OHC, Andy did some minor editing of the report, which included thanking himself first as a "researcher" on the report when he was not at all involved in the detailed work."

This is false and defamatory. The report was written and edited by the OHC's Director using research provided by myself and other individuals who were acknowledged in the report.

- (c) "The Ontario Federation of Labour, the group behind the OHC, had enough, and not to cause a scandal to reveal Lehrer' fraud, pushed Andy out the door, but Andy still markets himself as a "reseacher"[sic] using this report."

This statement is false and defamatory. There was no "fraud", nor was there any complaint by the Ontario Federation of Labour or any other source about my work, nor was I "pushed...out the door" Your claim is an utterly false, defamatory and malicious fabrication

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designed to hurt my employability. Also false and defamatory is your claim in another part of your page that "Andy uses his name on other's work on that one Ontario Health Coalition report to claim he is a researcher."

31) In the paragraph titled "Ontario Tenants" you make the following false and malicious statements:

(a) "Howard Tessler of the Federation of Metro Tenants Associations, brought Andy onto the board of the group in 2008, only for Andy to maneuver himself to Co-chair."

Mr. Tessler had no role in my joining the FMTA nor its board. Nor was I ever the FMTA's "co-chair".

(b) "Tessler worried that the person he calls a 'sociopath' and a "great weapon" was going to take over the group."

Mr. Tessler has never said any such thing and the claims wrongly attributed to him are false and defamatory.

(c) "In an effort to redirect him, Tessler got him to target a disabled man involved in tenant issues for about a 1/4 century who runs the most popular tenant website in Canada saying that Andy could easily harass him into giving up over a decades worth of work to them. Whether or not Tessler came up with the idea, Andy has been getting more people involved by saying he has \$1/4 million in grants lined up if he can get control of the website and if others will help they will get great paying jobs for getting involved in the harassment. With foolish people desperate for money one can bet he has found little problems getting more involved in the scheme. They drove that tenant webmaster off of Facebook and it looks like the guy is going to wimp out after years of harassment and sell his website to put an end to all the problems. Andy is certain that this is an easy way to fame and fortune - taking over someone else's work, just as he did at the OHC."

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This statement is malicious, defamatory and utterly false. I have never made the statements attributed to me, have never had any interest in obtaining someone else's website for myself or anyone else, and have never attempted to recruit anyone to get control of or purchase such a website. Nor have I ever attempted to "take over someone else's work" nor did I do so at the OHC.

32) In regards to the statements you make about CKLN Radio Inc.:

"There is no better way to destroy any organization that to let Andy get Involved"

and that I and people from OCAP were responsible for a "takeover" of the CKLN Board and subsequently "destroyed the radio station and stripped it of all its assets" – these statements are defamatory, misleading and a distortion of actual events.

33) In regards to "No One Is Illegal" and the claim that:

"Andy pushed for the creation of a Roma Sanctuary Committee. He promised a network of churches and safe houses to provide sanctuary to 10,000 Roma refugees to keep them hidden from Citizenship and Immigration Canada, but most of his efforts went towards fundraising for this cause. What if any money was raised and where it all went is anybody's guess or was it all talk and no action out of Andy? Unless Andy/Andre Bratu Lehrer gets others to do all the work, little ever gets accomplished other than talk and disruption."

I have never advocated the creation of nor been involved with any "Roma Sanctuary Committee" in any way, nor did I ever promise "a network of churches and safe houses to provide sanctuary to 10,000 Roma refugees to keep them hidden from Citizenship and Immigration Canada" nor was I ever involved with any fundraising, nor receive any funds, for such a purpose. The statements made by you are false, defamatory and malicious.

34) The paragraph titled "Who's next" is false, defamatory and malicious in particular the claim that I target "the dying, unaware students, the disabled and seniors, whether it was in Toronto or Kingston." This statement is libelous and defamatory I have never claimed nor

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boasted that I "can take down any opponent", I have never claimed to have "almost 100 email accounts" to file complaints,

- 35) The page falsely claims that I was "Co-chair" of an organization called the FMTA (Federation of Metro Tenants Associations). I have never had this title. Your statement further claims that I left the FMTA board in order to evade some unspecified "responsibility" and that I continue to be very active with them. In fact, I left the board in late 2009 due to other commitments and not to evade any sort of responsibility. My only involvement with the FMTA since then was to attend the 2011 Annual General Meeting. The claims made on the webpage are false and defamatory and are made maliciously.
- 36) The page also defames me by claiming that I use or have used CKLN Radio as a "power base" and that I "wanted to give a very large timeslot on CKLN to FMTA and other extremist groups."

This statement is libelous and defamatory. This statement is expressly false as neither FMTA nor any other supposed "extremist" group has been offered a timeslot by me and, in fact, FMTA has and has had no timeslot on CKLN during my time on the board. I was duly elected to the board of directors of CKLN Radio Inc. on July 24, 2009, and did not know the other board members at the time of my election. I subsequently became the board's secretary and later vice-chair. The claim that my election was improper or that I led a group that took over the station is false and defamatory.

- 37) The page also claims:

"Andy boasts he can take down any opponent and has kept it up a decade in at least one case. He brags about having almost 100 email accounts he uses to file complaints, to get people's email accounts, Facebook pages and Twitter accounts cancelled and can delete anybody's links on Wikipedia and get anybody who is willing to pay their own Wikipedia page that will remain up with the help of his "socialist contacts"."

I have made no such boasts. The claim that I have "hundreds" of email addresses is false and the paragraph maliciously defames me by claiming that I manipulate the content of



social networking and other sites. This and other similar statements made on the page are malicious, false and defamatory. Furthermore, I have never made or offered to make edits to Wikipedia for pay.

38) The following paragraph is utterly false and defamatory:

**"If you get an email from Andy or anybody you suspect to be him or one of his supporters DO NOT RESPOND. There are 2 reasons for this. If you see a message is strange, doesn't make sense or makes false accusations, particularly accusations that you think Andy is guilty of committing [sic] against you but he is accusing you of doing to him, he is usually blind copying the email to other people to create a fake paper trail of evidence, or to get other people to believe you are guilty of this to get them involved in helping him against you. Andy also wants a response to selectively quote and to take the headers from so he can fake postings from you. DO NOT RESPOND!"**

I do not "fake postings" from people, I don't blind copy or create "fake paper trail(s) of evidence", make false accusations and so on.

39) In regards to the section on the Socialist Party of Ontario:

The claim that I said the following in regards to Joe Flexer's death: "it was about time that old bastard croaked!" is an utterly false, malicious and defamatory fabrication. I have never said any such thing. Furthermore, Michael Laxer never referred to me as a "master manipulator" and I have never said "'Goebbels was an amateur compared to me", have never referred to anyone as "that fucking gimp" and never said "2 old bitches at the OHC were going to pay" or words to that effect. The quotations are complete fabrications and your attributions of the latter three to me is defamatory and malicious.

The claim that I used Michael Laxer to make false copyright claims in regards to your pages is false, libelous and defamatory. The copyright claim was valid and upheld by Google as the image in question was taken by Mr. Laxer on the back deck of the house he was then residing in.

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40) The claim that: "Another example of manipulating others to take the risks for him, was the two women he got to make and second his motion to decharter CKLN so he could never get the blame." The women were in fact the Chair and Vice-chair of the CKLN board and were acting upon a decision by the board to seek dissolution as a result of CKLN's loss of licence.

41) The claims that I "plant false information" or "falsified history" is false and defamatory.

**C) Webpage 3.**

42) This page falsely states that:

"Lehrer was a primary source of false intelligence to ARA about who was a racist who should be attacked. Many were just people who somebody wanted attacked; somebody within the radical left attack machine within which Lehrer is an operative."

This statement is utterly false and defamatory. I gave no intelligence to ARA, false or otherwise, about who "should be attacked".

43) The statements made in the aforementioned webpages that you host are untrue, unjustified and do violence to my personal and professional reputation. I demand that these unfounded allegations and the page on which they appear be removed immediately and that you cease and desist from harassing me online.

**MALICE, HARASSMENT AND DAMAGES**

44) The Plaintiff pleads that the Defendants acted maliciously in that:

- a. After a notice of libel was sent to the Defendants, they continued to post defamatory materials. Specifically, Webpage 1 was expanded in early June 2014 with material attempting to intimidate the Plaintiff by listing several of the Friends listed in my Google+ webpage;
- b. The Defendants have not, as of this date, removed any of the Postings;

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- c. The Defendants have not, as of this date, retracted the Postings and/or apologized to the Plaintiff for having defamed him
- 45) The Plaintiff pleads that as a result of the Postings, his personal and professional reputation have suffered; the Plaintiff has been brought into ridicule, scandal and contempt both personally and professionally; the Plaintiff's livelihood has been threatened; and the Plaintiff has suffered damages.
- 46) The Plaintiff states that the conduct of the Defendants towards him has been malicious, reckless and reprehensible and in complete and total disregard for his personal and professional reputation and that such conduct warrants the imposition of aggravated and punitive damages.
- 47) The Plaintiff pleads and relies on the *Libel and Slander Act*, R.S.O. 1990, c-L.12. and on the civil tort of defamation.
- 48) The Plaintiff pleads and relies on Rule 1(2) of the *Ontario Rules of the Small Claims Court* O. Reg. 258/98, r. 1.01., the *Courts of Justice Act*, R.S.O. 1990, c. C-43, as amended, and more specifically on Rule 1.05 of the *Ontario Rules of Civil Procedure* R.R.O. 1990, Reg. 194 as amended, to obtain an order from this Honorable Court forcing the Defendants to have the Postings removed from the websites and to post a full retraction with as much clarity and prominence as the defamatory and libelous words spoken and/or written and/or published.
- 49) Several of these pages appear, or have appeared, on the first page of results when my name is entered into Google and thus has caused harm to me and hold the potential to cause ongoing harm to my reputation.
- 50) Rourke's defamatory webpages have been widely promoted on the internet by links to them being posted on the comment sections of various blogs and by being listed in various internet directories, possibly by Rourke himself. These actions aggravate the damage to the Plaintiff. As of January 6, 2012 the aforementioned defamatory web pages continue to be broadcast on the internet.
- 49) The Plaintiff states that the Defendants are liable to him for all damages flowing from the defamatory words as set out herein.

- 50) The Plaintiff states that by the publication of the words as set out herein, his reputation has been seriously prejudiced and his integrity has been impugned. The Plaintiff has been held up to ridicule and contempt as a result of the actions of the Defendants as set out in this statement of claim.
- 51) The Plaintiff further states that the conduct of the Defendants constitutes harassment. In particular, the defendant Rourke has aggressively promoted the defamatory pages on the Internet, causing links to the defamatory pages to be posted in various locations on the internet including in the comment sections of various web logs ("blogs"), comment sections of news articles and other locations and by republishing the comments after they have been removed by his previous Internet Service Providers and also causing the comment to be republished on other websites. The behaviour of the Defendant has caused the Plaintiff to be fearful of physical and other forms of harm. The behaviour of the Defendant to target friends and associates of the Plaintiff has caused strain to his personal relationships and his ability to establish future social relationships.
- 52) The Plaintiff further states that the conduct of the Defendants in their failure to properly, or at all, ascertain correct information prior to publication of the libels set out in this statement of claim acted in a callous and high-handed matter and that their conduct should attract the censure of the court. The Plaintiff therefore seeks punitive damages.