

October 12, 2019

By Email and Regular Mail

Ontario Coalition Against Poverty
157 Carlton St #201
Toronto, ON
M5A 2K3

Mr. Yogi Acharya
Ontario Coalition Against Poverty
157 Carlton St #201
Toronto, ON. M5A 2K3

Mr. Gaetan Heroux
Ontario Coalition Against Poverty
157 Carlton St #201
Toronto, ON. M5A 2K3

Dear Sir/Madam:

RE: Cease and Desist re: Posters of Sue Ann Levy

We are counsel to the Toronto Sun and Sue Ann Levy.

It has come to the attention of our clients that you have distributed a poster in a Toronto neighbourhood with the title "SUE-ANN LEVY – BIGOT". A copy of the offending poster is attached hereto as schedule "A" (the "Poster").

The Poster contains a number of false and seriously defamatory statements about Ms. Levy and the Toronto Sun. These false and defamatory statements are indefensible at law. Further, the presentation of a photo of Ms. Levy with a height chart in a manner similar to a "Most Wanted" poster along with statements that Ms. Levy is a "BIGOT" who is "spreading hate" state or imply that she is a criminal and demonstrate that the Poster was designed to maximize harm to Ms. Levy. Given the format, content and means of distribution of the Poster, it is foreseeable that Ms. Levy will be targeted and harassed. It is also reasonable to expect that Ms. Levy will be confronted in public as a result of the Poster and such confrontations could result in Ms. Levy being physically harmed.

My clients welcome robust debate about issues concerning homelessness and poverty and recognize the right of OCAP and others to express their disagreement with Ms. Levy's views. However, for the reasons set out above, it is clear that the primary purpose of the Poster is not to engage in such debate but instead the purpose is to subject Ms. Levy to harassment and harm.

For these reasons we hereby demand that you:

(i) Immediately collect and destroy all Posters or other similar publications that have been distributed in Toronto and elsewhere;

(ii) Immediately cease and desist from further distribution of the Poster or other similar publications;

(iii) Refrain from making statements similar to those contained in the Poster that state or imply that Ms. Levy is a bigot or has committed a criminal offence or other statements that could reasonably lead to Ms. Levy being targeted, harassed or harmed including but not limited to statements to be made at OCAP's meeting scheduled for October 17 2019; and

(iv) Within 48 hours of the date this letter is sent, deliver confirmation by email to the undersigned that (i) and (ii) have been complied with.

Be advised that failure to immediately take the above steps will result in further and significant harm to Ms. Levy and the Toronto Sun.

We suggest you notify your insurer regarding this matter.

Regards,
O'Donnell, Robertson
& Partners
Douglas Richardson

DR/