

The Highest Damages Award in Canada of \$4.7M+ Issued for Defamation Campaign Involving 53 Individuals for Over a Decade

– Court issues order against Toronto resident finding that he posted numerous salacious and false statements about employees of tech companies –

TORONTO, CANADA (June 29, 2023) – A [monumental judgment](#) of over \$4.7 million was secured against a single defendant, who was held responsible for waging a campaign of cyber harassment, cyber stalking and cyber defamation on 53 people residing in Canada, the United States and Europe. According to the court order, the campaign resulted in thousands of postings about them on the internet falsely depicting them as sexual predators, fraudsters, and criminals among other things. On June 27, the Ontario Court ordered the defendant to pay the plaintiffs more than \$4.7 million, which is by far the highest award of damages issued in a defamation case in Canadian history against a single defendant. [Maanit Zemel](#) with [Zemel van Kampen LLP](#) in Toronto, Canada represented the plaintiffs in the matter.

The plaintiffs (except for one) were executives and recruiters in the information technology industry. As detailed in the court order, 52 of the plaintiffs were involved in the recruitment process for jobs that the defendant applied to and didn't get. In the order, the Court found that all, including the lawyer, share one thing in common – they had rejected the defendant – 52 of the plaintiffs during the recruitment process, and one, the lawyer, rejected his online romantic advances.

“The Court’s decision is a momentous victory for these plaintiffs, whose lives have been tarnished by the defamatory online postings,” commented Lee Brenner, Chair of [Venable LLP’s](#) Entertainment and Media Litigation Group, who assisted with the plaintiffs’ case. “As the court’s order recognized, the monetary award itself is not enough and will never be enough to vindicate the plaintiffs for the harm done to their reputations and the mental anguish they suffered. This judgment, however, should give all 53 plaintiffs the peace of mind they deserve.”

Background as outlined in the Court's Order

The plaintiffs reside in Canada, the United States and Europe, and have never met the defendant (except for one who was briefly his supervisor in 2006). All of the plaintiffs (except for one) are executives and recruiters in the information technology industry and their only connection to the defendant was that he had applied for job positions for which they were recruiting, but did not get those jobs.

From 2012 on, an anonymous person waged a campaign of cyber harassment, cyber stalking and cyber defamation by publishing thousands of defamatory statements. Several plaintiffs attempted to identify the anonymous defamer through court-issued subpoenas with no success. The court order states that the defendant successfully hid behind the veil of the internet using different devices and public spots to conceal his identity.

In 2017, a forensic private investigation firm was retained to determine the source of the postings and, through an extensive investigation, identified the defendant as the person responsible. In December 2017 and March 2018, the Ontario Superior Court of Justice granted an Anton Piller Order (APO), which is a civil search and seize order. The APO allowed the Plaintiffs' representatives to seize the defendant's electronic devices and conduct a forensic analysis of those devices.

On March 4, 2022, Justice Audrey Ramsay of the Ontario Superior Court of Justice issued a decision in favour of the plaintiffs. In her decision, Justice Ramsay found that the defendant was responsible for cyber harassment, cyber stalking and cyber defamation of the 53 plaintiffs. [A copy of that decision can be found here.](#)

On June 27, 2023, Justice Ramsay issued a judgment against the defendant, ordering him to pay each plaintiff compensatory, aggravated and punitive damages ranging between \$50,000 to \$110,000 per plaintiff, for a total of \$4,773,000. This is by far the highest award of damages ever issued against a single defendant in a defamation action in Canadian history (the second largest was \$2.5 million). As stated by the judge in her reasons: "Given the malicious, vindictive, high-handed, and reprehensible conduct of the defendant, this is an appropriate case for punitive damages to be awarded as a means by which the court ... expresses its outrage at the egregious conduct of the defendant".

The Court also issued a permanent injunction prohibiting the defendant from publishing defamatory content about the plaintiffs and requiring him to “take such steps as is necessary to remove the defamatory content from the Internet.”

The defendant has appealed this decision and his appeal is pending.

Read full order [here](#).