

Ontario court hands down \$4.7 million judgement against internet troll who defamed HR recruiters

Thought to be largest Canadian defamation award against an individual



Maanit Zamel, Lee Brenner

BY [Zena Olijnyk](#) / 10 Jul 2023 / Share

A defamation judgment believed to be one of the highest against a single defendant in Canada has ordered a Toronto man to pay \$4.7 million to 53 plaintiffs who said he was responsible for waging a campaign of cyber harassment, cyber stalking, and cyber defamation.

In a decision released June 27, Superior Court of Justice for Ontario judge Audrey Ramsay said, “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.”

Justice Ramsay ordered Farid 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.

She refused to reduce the damages because “not only has the defendant refused to apologize or retracted any of the defamatory statements,” he continues “to deny that he is responsible for the postings, even in the face of this court’s determination of his liability,” Ramsay wrote [in her decision](#).

Farid has indicated he plans to file an appeal but must “perfect” it with the appropriate documentation by July 26.

Lives tarnished by defamatory postings

Lee Brenner, chair of US-based Venable LLP’s entertainment and media litigation group, who worked for the plaintiffs along with Maanit Zemel from the Toronto law Zemel Van Kampen LLP, says the decision a “momentous victory for these plaintiffs, whose lives have been tarnished by the defamatory online postings.”

He notes the court order recognized that the monetary award was not enough and “will never be enough” to vindicate the plaintiffs for the harm done to their reputations and the mental anguish they suffered. However, the decision and award should give them “the peace of mind they deserve.”

Brenner worked on this case separately “for years” and had not met Zemel or knew what she was doing on this matter until long after the investigation started. “At some point, we crossed paths and were able to exchange notes, and we started seeing patterns. I thought [meeting Zemel] was a bit of a game changer. Well, at least for me.”

The court also issued a permanent injunction prohibiting Farid 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.”

Earlier decision found Farid responsible for cyber harassment, defamation

[In her earlier decision that found Farid had defamed the plaintiffs](#), released March 4, 2022, Justice Ramsay ruled that he was responsible for cyber harassment, cyber stalking, and cyber defamation of the 53 plaintiffs and that due to these actions, the plaintiffs “have been the subject of a targeted campaign with postings on websites for some ending up on websites devoted to posting salacious content.”

She added: “Unified, they claim that [Farid] is an internet troll who has waged a campaign of cyber harassment, cyber stalking, and cyber defamation, ultimately resulting in tens of thousands of postings about them on the internet depicting them as sexual predators, fraudsters, and criminals among other things.”

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

From 2012 on, a campaign of cyber harassment, cyber stalking and cyber defamation was waged by someone unidentified, publishing thousands of defamatory statements. Several plaintiffs attempted to identify the anonymous defamer through court-issued subpoenas with no success, as the perpetrator hid under 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 Farid.

In December 2017 and March 2018, the Ontario Superior Court of Justice granted an Anton Piller Order (APO), a civil search and seizure order. The APO allowed the plaintiffs’ representatives to seize the defendant’s electronic devices and conduct a forensic analysis of those devices.

The evidence collected included the plaintiffs’ names, photographs, particular words and phrases that appear in the postings, and internet-based activity related to visiting the

websites where the defamatory postings appear, Justice Ramsay wrote in her judgement.

As well the analysis determined Farid's laptop had previously used IP addresses matching some derogatory posts — including local coffee shops and Toronto Public Library branches previously identified by investigators.

While police and lawyers were in his apartment executing the Anton Piller Order, Farid was in his bedroom, ostensibly to consult with his lawyer. But Justice Ramsay noted he googled 'How to permanently delete records from my device?' then proceeded to delete numerous records from his electronic devices," Justice Ramsay wrote in her judgement. During the two-and-a-half hours that the solicitors searched his apartment, Farid deleted 9,521 digital files from his devices.

Good old-fashioned putting together of puzzle pieces

In the end, Brenner says solving the question of who was spreading the false statements came down to what he calls "good old-fashioned putting together of puzzle pieces and seeing that the common denominator was that these were primarily recruiters he was targeting."

He hopes that the case, and the substantial award against Farid, will help in the struggle against internet defamation and the spreading of "falsehoods and lies" and stop at least some perpetrators from perhaps doing so, knowing the stakes are high if they are caught.

He adds that the trouble in these cases is that while the first step is to find the perpetrators, "it's only just the beginning.

"Most of these people will deny they are spreading lies, so using investigative techniques to prove the identity of those trolling the Internet is key."

As well, dealing with these types of cases over so many years "takes a lot of tenacity," he says.

"I don't think there are a lot of lawyers like [Zemel] who would have stuck so long with this case," noting she also became a target of the defendant's abuse on the Internet. "To have such a thick skin, along with such knowledge of defamation law and procedure," he says, is impressive.

“There was never any thought of her giving up.”

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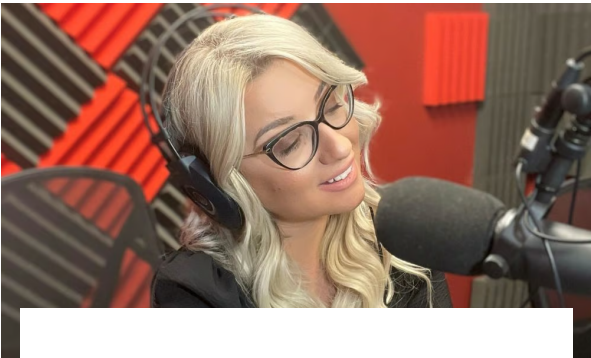
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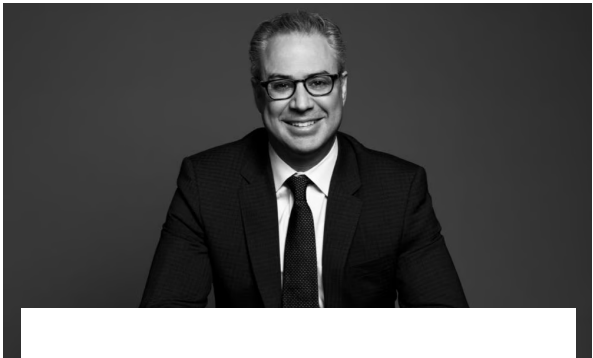
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