



Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N :

**SABINA PARIMOO, SABINA PARIMOO MEDICINE PROFESSIONAL CORPORATION
c/o/b as CHERRYCREST MEDICAL CENTRE and TARIQ KANTROO**
Plaintiffs

- and -

**ABU UBAIDA AMIN, AYESHA AMIN, 1245532-3 CANADA INC. provincially registered
as 3273859 ONTARIO INC. c/o/b as KING VAPE'S INCORPORATED, 786 UMMAH
INVESTMENTS CORP. c/o/b as STOP N GO CONVENIENCE**

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the plaintiff.
The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service in this court office, **WITHIN TWENTY DAYS** after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

DATE: May 30, 2023

Issued By: Registrar

Address of Court Office:

7755 Hurontario Street
Brampton, ON
L6W 4T6

TO: Abu Ubaida Amin
5 Cherrycrest Drive Unit 8
Brampton, ON
L6P 3W4

AND TO: Ayesha Amin
5 Cherrycrest Drive Unit 8
Brampton, ON
L6P 3W4

AND TO: 1245532-3 Canada Inc. provincially registered as 3273859 Ontario Inc.
C/O/B As King Vape's Incorporated
5 Cherrycrest Drive Unit 8
Brampton, ON
L6P 3W4

AND TO 786 Ummah Investments c/o/b as Stop N Go Convenience
5 Cherrycrest Drive Unit 8
Brampton, ON
L6P 3W4

- CLAIM -

1. The plaintiffs, Sabina Parimoo and Sabina Parimoo Medicine Professional Corporation, claim against the defendants for:
 - (a) Damages in the amount of 250,000 for defamation, intentional infliction of mental distress, negligent infliction of mental injury, and nuisance;
 - (b) General damages in the amount of \$200,000;
 - (c) An interlocutory and permanent and final order enjoining and restraining the defendants, or any one of them, and their servants, employees, agents, assigns, officers, directors, and anyone else acting on their behalf or in conjunction with any of them, from disseminating, posting on the internet, distributing or publishing in any manner whatsoever, directly or indirectly, statements, comments, videos, pictures or depictions about, concerning, or in any way referring to the plaintiffs by name, depiction or description;
 - (d) A mandatory injunction requiring the defendants, or any one of them, to remove any defamatory comments, statements, videos, and depictions respecting the plaintiffs from any internet site on which he has posted them and any links to those sites;
 - (e) Aggravated damages in the amount of \$250,000; and
 - (f) Punitive damages in the amount of \$250,000.
2. The plaintiff, Tariq Kantroo, claims against the defendants for:

- (a) Damages pursuant to the provisions of the *Family Law Act*, R.S.O, 1990 Chapter F3, in the amount of \$100,000;
 - (b) Special damages for past and future housekeeping expenses related to handyman, tutoring and homemaking services together with other out-of-pocket expenses in an amount as of yet to be determined;
3. For all the plaintiffs:
- (a) Pre-judgment and post-judgment interest in accordance with the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
 - (b) Costs of this action on a substantial indemnity basis; and
 - (c) Such further and other relief as counsel may advise and this Honourable Court deems just.

A. The Parties

4. The parties operate various commercial businesses in a commercial plaza at 5 Cherrycrest Drive, Brampton, ON, L6P 3W4 (the “**Plaza**”). The parties have contractual relationships and are bound by the relevant provisions of the *Condominium Act*, 1998, SO 1998, c 19.

5. The plaintiff, Sabina Parimoo (“**Dr. Parimoo**”), is an individual residing in the City of Brampton. Dr. Parimoo is, and was at all material times, a family physician duly licensed to practice medicine in Ontario, and the medical director at the Cherrycrest Medical Centre located at Unit 7 of the Plaza (the “**Clinic**”).

6. The plaintiff, the Sabina Parimoo Medicine Professional Corporation is a Health Profession Corporation incorporated pursuant to the laws of Ontario with its head office at unit 7 of the Plaza (the “**Corporation**”, together with Dr. Parimoo, the “**Parimoo Plaintiffs**”). The

Corporation carries on business as Cherrycrest Medical Centre. Dr. Parimoo provides primary care as a family physician to her patients through the Corporation at the Clinic.

7. The plaintiff, Tariq Kantroo, is Dr. Parimoo's husband. He resides with Dr. Parimoo and their children.

8. The defendant, 786 Ummah Investments Corporation is an Ontario corporation with its registered head office at Unit 8 of the Plaza ("**786 Ummah Corporation**"). 786 Ummah Corporation carries on business as 'Stop N Go Convenience' and operates a convenience store at Unit 8 of the Plaza (the "**Convenience Store**").

9. The defendant, 1245532-3 Canada Inc. is a federal corporation with its registered head office also Unit 8 of the Plaza ("**323 Canada**"). 323 Canada is provincially registered as 3273859 Ontario Inc. and carries on business as King Vape's Incorporated and operates out of Unit 8 at the Plaza. 323 Canada also runs an online store at www.kingvapes.ca selling, *inter alia*, smoking products, "male enhancement pills", and car alarms ("**King Vape's**", together with 786 Ummah Corporation, the "**Amin Corporations**").

10. The defendant, Abu Amin, is an individual and the sole director of the Amin Corporations. Mr. Amin works at the Amin Corporations which are located next door to the Clinic in the Plaza.

11. The defendant, Ayesha Amin, is an individual and Abu Amin's wife. Ms. Amin works at the Amin Corporations.

B. Overview

12. The defendants, and specifically Abu Amin, have engaged in a pattern of frightening, intimidating, defamatory, racist, outrageous and flagrant conduct, in person and online, targeting Dr. Parimoo.

13. The conduct is retaliatory and arises from a perceived slight against them wherein they allege that Dr. Parimoo refused to accept Ayesha Amin as a patient at her Clinic in mid-2021 because of Ayesha Amin's race or religion. Dr. Parimoo has never met Ayesha Amin and does

not know her race, ethnicity, or religion. The Clinic stopped accepting new patients in 2018 because Dr. Parimoo's patient roster is full. This is the only reason Ms. Amin was not accepted as a patient at the Clinic.

14. The defendants have concocted an unreasonable narrative regarding why Ayesha Amin was not accepted as a patient which that is not based in reality or fact. They posts untrue and defamatory content about Dr. Parimoo on two websites that they own and operate, either directly or through the Amin Corporations, in order to exact revenge for the perceived slights against them. They attack Dr. Parimoo's professional and personal reputation by calling her racist, stating that she "hates her own people", and making false statements that Dr. Parimoo has been sanctioned by her regulatory body for such behaviour. These statements are demonstrably false.

15. The defendants, and specifically Mr. Amin, are intimidating and unpredictable, and Dr. Parimoo has and continues to suffer real damages to her business, reputation, and mental health as a result of their conduct. Dr. Parimoo has installed video cameras throughout her Clinic both inside and out and has gone so far as to wear a body camera while going to and from the Clinic. Mr. Amin frightens Clinic patients as they attend for consults at the Clinic.

16. Mr. Amin purports to be of Pakistani descent. Dr. Parimoo is of Indian descent. Mr. Amin seems fixated on this fact and Dr. Parimoo's ethnicity, although she has never once said anything of the matter to Mr. Amin. Specifically, Mr. Amin often repeats apparent grievances he has about the Kashmiri area of that region of the world. He does so with vitriolic and frightening language. Dr. Parimoo has never spoken to Mr. Amin about this subject.

17. The result is that Dr. Parimoo feels unsafe at her own Clinic, which she worked hard to establish but cannot enjoy due to the defendants' conduct. She is considering moving from the Plaza solely because of the defendants' conduct. Police have been involved but have not laid any charges against Mr. Amin.

18. Dr. Parimoo is increasingly anxious knowing there are outright lies about her as a professional and a person on internet websites that the defendants operate, and one of which

uses a domain name that is intentionally confusingly similar to the Clinic's name. Dr. Parimoo's patients and her family in Canada and India ask her questions about the websites, and she is forced to repeatedly explain the defendants' conduct and their fixation on her in order to guard and protect her reputation.

19. The defendants' behaviour and conduct towards Dr. Parimoo, her Clinic, her family and her patients is tortious and egregious; it must stop.

C. Dr. Parimoo's Background

20. Dr. Parimoo immigrated from India in March 2006. She is a citizen of Canada. She is a proud Canadian and Muslim woman.

21. Dr. Parimoo graduated from the Sher-I-Kashmir Institute of Medical Sciences in India in 2004. She practiced medicine as a physician in India until in or around January 2006 when she immigrated to Canada.

22. Dr. Parimoo completed further medical training at McMaster University in Hamilton, Ontario between 2009 and 2011. She received her independent practice certificate in family medicine from the College of Physicians and Surgeons of Ontario (the "CPSO") in June 2011.

23. Dr. Parimoo is a sought-after and well-respected family physician in Brampton, Ontario. After a period practicing with other physicians in Georgetown, Ontario, she opened her own practice at the Plaza on September 15, 2016, which she owns and operates up until the present day.

24. Dr. Parimoo's patient roster at the Clinic includes people from all walks of life regardless of their race, religion, creed, sexual orientation or any other measure of identity. She operates an inclusive and accepting practice that is consistent with her values as a physician and a human being. Furthermore, Dr. Parimoo abides by all CPSO policies in running the Clinic, including its policy on Professional Obligations and Human Rights, which requires physicians to create and foster an environment in which the rights, autonomy, dignity and diversity of all patients, or those seeking to become patients, are respected.

25. Dr. Parimoo has never had any practice restrictions, discipline history, or concerns listed on her CPSO physician profile, or at all. She has never been found professionally negligent, settled an action where she was named in negligence, or been sued in negligence. By all measures, Dr. Parimoo is a competent family physician.

26. Since its inception, the Clinic has been known to the public, patients, the CPSO, and the defendants as the Cherrycrest Medical Centre. *Inter alia*, the Clinic represented itself to the public as the Cherrycrest Medical Centre by:

- (a) A sign on the main Plaza sign;
- (b) A sign above the Clinic entrance;
- (c) A sign on the Clinic's door;
- (d) On the CPSO registry which at all material times was a publicly accessible registry; and
- (e) The Clinic's Google business profile.

D. The Relationship Between the Parties

27. Due to her skills as a physician and her popularity with her patients, Dr. Parimoo's patient roster at the Clinic has been full since 2018. As a result, the Clinic has not been accepting new patients since that time, subject to limited exceptions for family members of existing patients.

28. The Clinic receives two to three requests per day on average from members of the public to be added to Dr. Parimoo's patient roster. Clinic staff have standing orders to politely decline to add new patients to the Clinic's roster when they receive such requests.

29. The fact that the Clinic is not accepting new patients has been conveyed to the public continuously by, *inter alia*, a statement on its Google profile, a sign on the Clinic door, and Clinic staff.

30. In or around the summer of 2021, Mr. Amin contacted the Clinic requesting that his wife, Ayesha Amin, be accepted as Dr. Parimoo's patient. Dr. Parimoo has never met Ms. Amin and knows nothing of her race, religion, creed, or medical status.

31. The Clinic declined to accept Ms. Amin as Dr. Parimoo's patient because Dr. Parimoo's patient roster is full. Clinic staff politely to accept Ms. Amin in accordance with Clinic policies described above.

32. Despite the above, the defendants and specifically Mr. Amin purport to believe that Ms. Amin's being declined as a patient at the Clinic was a personal attack on him and Ms. Amin based on their race and ethnicity; there is simply no basis in fact for that belief. Dr. Parimoo nor anyone else at the Clinic ever made any comments or decisions in this regard, and they do not know Ms. Amin or her race, religion, or ethnicity.

E. The Defendants' Tortious Conduct Towards to Parimoo Plaintiffs

33. In the days, weeks and months that followed, because of what he perceives as slights against him and Ms. Amin, Mr. Amin undertook a campaign of racist, intimidating, frightening, and tortious direct and online conduct against Dr. Parimoo and her patients, family, and Clinic.

i. The Defendants' Websites

34. On or about November 8, 2022, the defendants, or any one of them, bought the domain, cherrycrestmedicalcentre.ca (the "**Domain**"), from Go Daddy Domains Canada, Inc.

35. On or about November 9, 2022, Mr. Amin wrote to Mr. Chris Puskas, Dr. Parimoo's lawyer through the Canadian Medical Professional Association, and the CPSO, stating, *inter alia*,

"My FIRM now owns the domain name www.cherrycrestmedicalcentre.ca".

...

The domain www.cherrycrestmedicalcentre.ca will be @top and @bottom to read my article-blog about discrimination that has played against my poor wife,

36. The defendants use the Domain as the URL to a website where they exclusively post disparaging, untrue, and frightening content about Dr. Parimoo (the “**Website**”). The Website is currently ranked #1 on Google when the search term ‘Cherrycrest Medical Centre’ is used, and #2 on Google when the search term ‘Sabina Parimoo’ is used. In both cases, the Clinic’s Google business profile appears beside the Website and creates confusion that the Website is related to the Clinic. Mr. Amin chose the Domain intentionally to cause such confusion.

37. The Website replicates another website, www.thepolitico.ca (the “**Other Website**”, together with the Website, the “**Websites**”) which the defendants also own and operate. On October 21, 2022, Mr. Amin wrote to Mr. Puskas stating, *inter alia*, “I will write a BLOG online on my blog website of my experience with Ms. Parimoo and her husband, www.politico.ca, She deserves to be on the Blog site,”

38. The Other Website contains a link on the homepage titled, ‘Jammu Kashmir’, that directs the user to the Website. The Other Website also contains a link titled, ‘Incompetent Doctor’, which links to a subpage on the Other Website that repeats the contents on the Website. Mr. Amin uses the Other Website to defame and attack Dr. Parimoo and many other professionals he perceives as having slighted him in the past.

39. The Websites have been viewed by numerous people, including Dr. Parimoo’s patients. The Other Website contains a view counter embedded on it which shows that hundreds of people have viewed it.

40. Both Websites contain the title, “Incompetent Doctor” with a subtitle that includes Dr. Parimoo’s full name and a picture of her and makes a statement that she “hates her own people”.

41. The Websites contain links to numerous documents, including one article titled, “Jammu Kashmiri Ontario Family Physician Faces Legal Action for Alleged Discrimination & Medical Malpractice in Refusing to Provide Medical Care to Poor Azad Kashmiri Citizen of Pakistan”. The title of the article is false and untrue, and the content goes on to make to the following untrue statements,

“Ayesha Amin, a permanent resident of Ontario, was denied medical care by Dr. Parimoo simply because of her ethnicity and country of origin. This type of discrimination not only goes against the ethical obligations of healthcare professionals but also violates the basic human right to healthcare”

42. In a blog post on the Other Website dated May 15, 2023, and updated on May 23, 2023, the defendants make the following untrue statements:

“...it is worth noting that the College of Physicians and Surgeons of Ontario, the governing body that regulates physicians in the province, imposed a penalty of \$2,000.00 on Sabina Ashraf Parimoo for her actions.”

43. This statement false, untrue and has no basis in fact. The CPSO has never “imposed a penalty” on Dr. Parimoo for \$2,000, or at all.

44. As of May 28, 2023, the article has been viewed by at least 25 people according to the view counter on the Other Website.

ii. The Defendants’ Other Tortious Conduct

45. Aside from his online conduct, the defendants have engaged in a campaign of in-person direct conduct in an attempt to intimidate the plaintiffs. A non-exhaustive list of Mr. Amin’s direct conduct towards the plaintiffs is as follows:

- (a) **Summer 2021** - Shortly after learning the Clinic would not accept his wife, Mr. Amin called the Clinic and left a phone message for Dr. Parimoo stating, *inter alia*, “I will cut off your fucking legs if you or your fucking family steps close to my store.”
- (b) **Summer 2021** - In or around the same time, Mr. Amin began harassing Clinic patients as they parked and entered the Clinic to see Dr. Parimoo. Mr. Amin’s behaviour had the effect of scaring and intimidating Dr. Parimoo’s patients who then presented for their medical appointments extremely distressed.

- (c) **March 2022** - an envelope addressed to the Clinic was sent to the Convenience Store by mistake. Mr. Amin opened the envelope and cut the contents into little pieces before throwing the envelope and its contents in the garbage.
- (d) **October 22, 2022** - Mr. Amin placed a number of documents including an statement of claims containing false allegations, a complaint he made to the CPSO about Dr. Parimoo, and other documentation on car windshields that were parked in front of the Clinic. The documents contained false statements about Dr. Parimoo including that she is racist and discriminated against Mr. Amin's wife. Mr. Amin stopped patients as they entered the Clinic, attempted to provide them with the documents and yelled at them in an intimidating way.
- (e) **October 22, 2022** - On the same date, Mr. Amin sat in a car out front of the Convenience Store and hurled racist remarks at Dr. Parimoo who was out front of the Clinic surrounded by people. Mr. Amin belittled Dr. Parimoo, stating in a sarcastic tone, "You look very pretty. Love the hijab. You know we're in Canada right now?" Mr. Amin videotaped himself making these racist statements and posted the video to one of the Websites.
- (f) **October 24, 2022** - Mr. Amin placed a chair directly in front of the Clinic door and sat in the chair in an attempt to block the Clinic door to prevent the plaintiffs, their staff and their patients from entering or leaving. On the same date, Peel police were called to the Plaza due to Mr. Amin's repeated, intimidating and harassing behaviour in the preceding days. Police warned Mr. Amin that he could be charged with criminal harassment but did not arrest him.

- (g) **October 29, 2022** - Mr. Amin and Ms. Amin placed a sign in front of the Convenience Store and the Clinic that read,

“Let’s stop discrimination and prejudice against our own! Read all about Dr. Sabina Ashraf Parimoo [sic] discrimination claim for \$10,000,000 + damages. Doctor who has discriminated against my wife Ayesha Amin. Read more at www.thepolitico.ca Peacefull [sic] protest!”

- (h) **February 2023** - Mr. Amin became fixated on perceived parking issues by customers of other Plaza residents, which has fueled and caused the tortious conduct to increase.

- (i) **February 14, 2023** - the plaintiff, Mr. Kantroo, met with Mr. Amin to attempt to resolve and/or diffuse the situation. During that meeting, Mr. Amin became furious and, *inter alia*, stated that Pakistan should “nuke” Kashmir and kill all Kashmiris.

- (j) **March 2023** - Mr. Amin wrapped his car with text on the rear windshield and parked it out front of the Clinic. The text stated,

“Caste discrimination is a serious illness our next generation should be aware learn how rich doctors discriminate www.thepolitico.ca”

- (k) **May 16, 2023** - Mr. Amin wrote to Dr. Parimoo’s lawyer in an email that contained the following death threat:

Tell Tariq, Abu Amin is the person who got life insurance on a lawyer and that lawyer died,

That lawyer was Abu Amin best friend,

See attached the settlement your law Pro gave me, Peter, this was just one Trophy I won for my birth country Pakitan, [sic]

46. The May 16, 2023 email from Mr. Amin attached a life insurance policy wherein he was named as the sole beneficiary on a policy covering a lawyer that he sued and who died in unknown circumstances months after the policy was taken out.

47. Exclusively as a result of the foregoing direct conduct by Mr. Amin and Ms. Amin, and the defamatory Websites the defendants created and operate, Dr. Parimoo has recently been considering moving the Clinic to a new location. Dr. Parimoo does not want to move the Clinic, but for the safety of her patients, family and herself, she is left with little other choice.

F. Allegations Against All Defendants

48. The defendants, or any one of them, are liable in defamation because:

- (a) The words posted on the Websites refer to Dr. Parimoo and her Clinic. Specifically, the defendants make unfounded statements that Dr. Parimoo is racist, hates her own people, is an incompetent doctor and discriminated against Ayesha Amin in a way that attracted sanction, including a \$2,000 fine, from the CPSO (the “**Impugned Words**”). The Impugned Words are all false, untrue, and only serve to illegitimately attack Dr. Parimoo’s professional and personal reputation. The defendants have no evidence to substantiate the Impugned Words beyond their own conjecture, and they cannot hold an objective honest belief in the accuracy of the Impugned Words.
- (b) The Impugned Words lower Dr. Parimoo in the estimation of right thinking members of society and in particular cause her to be regarded with feelings of hatred, contempt, ridicule, fear, dislike and/or disesteem.
- (c) The defendants published the Impugned Words on the Websites, which have been viewed at least hundreds of times. Some of Dr. Parimoo’s patients have seen the Websites, as has her family in India and Canada.

- (d) The defendants have no valid defence in publishing the Impugned Words.
There is no public interest served in making untrue statements about Dr. Parimoo. They have no legitimate interest in publishing the Impugned Words.
- (e) In the alternative, if the defendants have a legitimate interest in publishing the Impugned Words, which is denied, the plaintiffs have suffered economic, reputational and personal harm that outweighs any legitimate interest the defendants may have had in publishing the Impugned Words.

49. The defendants, or any one of them, are liable for intentional infliction of mental distress because:

- (a) Their conduct is flagrant and outrageous, and calculated to produce harm to Dr. Parimoo, her Clinic and family. Dr. Parimoo has suffered extreme anxiety and trauma from the defendants conduct and has sought out professional help to address her injuries.

50. The defendants, or any one of them, are liable for negligent infliction of mental injury because:

- (a) The defendants, or any one of them, owed Dr. Parimoo a duty of care which required them to avoid causing her mental injury by their conduct and statements;
- (b) The defendants breached that duty by engaging in egregious and outrageous conduct, as described above;
- (c) Dr. Parimoo has suffered extreme anxiety and trauma because of the defendants conduct and has sought out professional help to address her injuries; and

- (d) Dr. Parimoo's injuries were caused in fact and in law, by the defendant's breach.

51. The defendants, or any one of them, are liable in nuisance because:

- (a) Their conduct and specifically that of Mr. Amin has been unreasonable and caused substantial interference with the plaintiffs' rights to use and enjoy their property.

G. Allegations against the Amin Corporations

52. It is unclear who owns the domains for the Websites or who pays for their hosting as Mr. Amin intentionally obfuscates with respect to this subject. If the Amin Corporations have or do pay in any way for the Websites then, in addition to their liability as described above, they are additionally directly and vicariously liable for damages by facilitating the conduct that grounds each cause of action as pleaded.

53. In any event, the Amin Corporations were at all times vicariously liable for Mr. Amin and Ms. Amin's conduct because:

- (a) At all material times, Mr. Amin was a director, employee, agent, and/or independent contractor of the Amin Corporations;
- (b) At all material times, Ms. Amin was an employee, agent, and/or independent contractor of the Amin Corporations;
- (c) Some or all of the wrongful acts were committed by Abu and Ayesha Aming during the course of their working relationships with Amin Corporations and that wrongful conduct fell within the scope and course of their employment, agency, and/or independent contractor relationship;

- (d) the special opportunities for Abu and Ayesha Amin to commit these wrongful acts were directly attributable to their employment, agency and/or contractual relationship with the Amin Corporations; and
- (e) such further and other grounds as shall be disclosed prior to trial.

H. Damages

54. As a result of the defendants' conduct and defamatory statements, the plaintiffs, and specifically Dr. Parimoo, have experienced pain and suffering and loss of reputation. Damages should be awarded in a manner that compensates the plaintiffs and vindicates their reputation.

55. Permanent injunctive relief enjoining the defendants from making such statements again is appropriate as the defendants are likely to continue to publish content about the plaintiffs and it is likely that Abu and Ayesha Amin will not be able to satisfy any money award made against them, by Mr. Amin's own admissions.

56. Interlocutory injunctive relief is appropriate because the Impugned Words are so manifestly defamatory that any jury verdict to the contrary would be considered perverse.

57. As a result of the Defendants' wrongful conduct pleaded herein, Dr. Parimoo has suffered and continues to suffer, harms and injuries, including *inter alia*:

- (a) post-traumatic stress disorder;
- (b) depression;
- (c) anxiety;
- (d) intense feelings of anger;
- (e) panic attacks;
- (f) feelings of shame, guilt, embarrassment and humiliation;

- (g) feelings of helplessness;
- (h) hyper alert responses;
- (i) avoidant behaviours;
- (j) difficulties sleeping;
- (k) strained relationships;
- (l) physical pain and discomfort; and
- (m) such further particulars of damages as shall be advised prior to trial in accordance with the *Rules of Civil Procedure*;

58. As a result of Dr. Parimoo's sequelae, her husband, Mr. Kantroo, has had to perform additional household responsibilities including but not limited to taking care of their children and increased duties around the house, which care and duties Dr. Parimoo would otherwise have provided. Mr. Kantroo has sustained the loss of the care, guidance and companionship that he may have otherwise reasonably expected to receive from Dr. Parimoo but for the defendants' conduct. As this is an ongoing loss, the particulars will be provided prior to trial.

59. The nature of the impugned conduct by the defendants has caused great humiliation to Dr. Parimoo, has been degrading, and has been accompanied by verbal and online abuse. Accordingly, the non-pecuniary damages warranted should be significantly enhanced by these aggravating factors. A further aggravating factor concerns the fact that the defendants continue to engage in similar conduct daily by virtue of their close physical proximity to the Clinic.

60. The defendants' conduct has been particularly high-handed and oppressive and done with actual malice, thereby increasing Dr. Parimoo's humiliation and anxiety and substantiating a claim for aggravated damages.

61. The defendants' conduct has been such that it deserves sanction by an award of punitive damages in order to punish the defendants and deter others from acting in a similar manner.

62. As a result of the harms and injuries suffered by Dr. Parimoo and caused by the wrongful actions of the defendants, for which the defendants are jointly and severally liable, Dr. Parimoo has incurred and will continue to incur, therapy and treatment expenses. Accordingly, Dr. Parimoo seeks past and future treatment costs. As this is an ongoing expense, the particulars will be provided prior to trial.

63. In addition, and as a result of the defendants' tortious conduct as pleaded herein, Dr. Parimoo has suffered, and will continue to suffer, economic loss including loss of competitive market edge, loss of income and loss of economic opportunities. As this claim is ongoing, further particulars of those losses will be provided prior to trial.

64. The plaintiffs also claim damages for out of pocket expenses for which the defendants are jointly and severally liable. As this claim is ongoing, further particulars of those losses will be provided prior to trial.

65. The plaintiffs plead and rely on the provisions of:

- (a) *Negligence Act*, RSO 1990, c N.1;
- (b) *Condominium Act*, 1998, SO 1998, c 19;
- (c) *Family Law Act*, RSO 1990, c F.3;
- (d) *Libel and Slander Act*, RSO 1990, c L.12

May 30, 2023

leigh.law
Litigation Lawyers

Peter Leigh LSO# 70038W
100 King St. West Suite 5700
Toronto, ON

M5X 1C7

Email: peter@leigh.law

Tel: 905-379-2605

