



Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

(Court Seal)

WENBIN (VINCENT) KE

Plaintiff

and

SAM COOPER, ANDREW RUSSELL, COLIN D'MELLO, SONIA VERMA
and GLOBAL NEWS (CORUS ENTERTAINMENT)

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANT

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.

-2-

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 June 5, 2023 Issued by _____
Local Registrar

Address of court office: Superior Court of Justice
330 University Avenue, 8th Floor
Toronto ON M5G 1R7

TO: **ORP Law**
180 Dundas Street West
Suite 1500
Toronto, ON M5G 1Z8

Douglas Richardson
drichardson@orplawyers.com
Tel: 416 216 0256

Lawyers for the Defendants, Sam Cooper
and Global News (Corus Entertainment)

AND TO: **Andrew Russell**

AND TO: **Colin D'Mello**

AND TO **Sonia Verma**

CLAIM

1. The Plaintiff claims against the Defendants:
 - (a) A declaration that the Defendants defamed the Plaintiff;
 - (b) General damages in the amount of \$5,000,000 for libel as against the Defendants, jointly and severally;
 - (c) Aggravated and/or punitive damages in the amount of \$500,000;
 - (d) An Order that the Defendants remove and/or destroy any copy of or reference to the Articles, Video, and Defamatory Words (defined below) from any source, medium or place accessible to any third party;
 - (e) An Order permanently restraining the Defendants from disseminating, posting on the internet or publishing or broadcasting in any manner whatsoever, either directly or indirectly, any defamatory statements concerning the Plaintiff;
 - (f) Prejudgment interest in accordance with section 128 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
 - (g) Postjudgment interest in accordance with section 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
 - (h) The costs of this proceeding on a substantial indemnity basis, plus all applicable taxes; and
 - (i) Such further and other Relief this Honourable Court may seem just.

The Parties

2. The Plaintiff, Wenbin “Vincent” Ke, is a Canadian politician and member of Provincial Parliament (“**MPP**”) for Don Valley North, Ontario, since June 7, 2018. He was elected as a Progressive Conservative and, until the events described in this claim, was a member of the Progressive Conservative caucus. He presently sits as an independent member of Provincial Parliament as a result of the publication, broadcasting, and dissemination of Articles and Videos defined further below.

3. After his election, Mr. Ke was appointed to be the Parliamentary Assistant to the Minister of Tourism, Culture and Sport on June 29, 2018, and then the Parliamentary Assistant to the Minister of Public and Business Service on June 29, 2022. He was removed from the latter position as a result of the Defendants’ publication of the Articles and Video on March 10, 2023, which state, among other things, that the Canadian Security Intelligence Service (“**CSIS**”) has alleged that Mr. Ke was part of a Chinese government scheme to interfere with the 2019 Canadian federal election and that he received funds as part of that scheme.

4. The Defendant, Sam Cooper (“**Cooper**”), is a resident of Ontario and is an investigative journalist and author. Cooper authored the Articles and Video under Global News’ employment and direction.

5. The Defendant, Andrew Russell (“**Russell**”), is a resident of Ontario and an investigative journalist. He co-authored one of the Articles under Global News’ employment and direction and subsequently sought to retaliate against Mr. Ke for his delivery of the Libel Notice (defined below) by declaring an intention to publish inaccurate allegations that Mr. Ke breached Ontario’s *Member’s Integrity Act*.

6. The Defendant, Colin D’Mello (“**D’Mello**”), is a resident of Ontario and a journalist. He co-authored one of the Articles under Global News’ employment and direction.

7. The Defendant, Global News, is a division of Corus Entertainment Inc. The Articles and Video were authored by Cooper, Russell and D’Mello and published on Global News’ website and its various social media platforms.

8. The Defendant, Sonia Verma, is the Editor-in-Chief of Global News, who reviewed and approved the publication and broadcasting of the Articles and Video.

Mr. Ke is a Successful Politician and a Contributing Member of Canadian Society

9. To the knowledge of the Defendants, Mr. Ke is an accomplished politician and a leader in the community. Mr. Ke was born and raised in a working-class home in China and immigrated to Canada in 1998. He has been deeply involved in the community and public affairs with over a decade of volunteer work. He is a recipient of the Ontario Volunteer Service Award.

10. In his role as the MPP for Don Valley North and through his contributions to his community and Canadian society at large, Mr. Ke has earned the respect and trust of his constituents, fellow politicians and the Canadian public. His receipt of the Ontario Volunteer Services Award, and election as an MPP in the 2018 Ontario provincial election, are testaments to his community work, character, and loyalty to Canada, Ontario and democracy.

11. As a first-generation immigrant, through hard work and perseverance over more than two decades, Mr. Ke has made Canada his home and made significant contributions to the Canadian society and improved the lives of his fellow Canadians. He has demonstrated himself to be a person of high integrity and moral character. The baseless and sensational allegations of his

involvement in an election interference scheme, described below, on behalf of the government of China to harm the Canadian public is false and fans the flames of anti-Asian sentiments.

The Defendants Recklessly and Maliciously Published Statements Defaming Mr. Ke

12. On or around March 10, 2023, the Defendants recklessly and maliciously published and broadcasted, or caused to be published and broadcasted, multiple statements that are false and defamatory of Mr. Ke in two news articles and an accompanying video.

13. The false and defamatory statements include the following (collectively, “**Defamatory Words**”):

- (a) *Ontario legislature member is part of alleged Beijing 2019 election-interference network: sources*, <<https://globalnews.ca/news/9430612/chinese-government-canada-election-interference/>>, published March 10, 2023 (the “**Article**” and the “**Video**”)

Article:

An election interference network directed by China’s Toronto consulate allegedly involved a sitting member of the Ontario legislature, according to sources with knowledge of the investigation into Beijing’s covert efforts during the 2019 federal election.

Those sources assert that Vincent Ke, a Progressive Conservative member in Premier Doug Ford’s government since 2018, served as a financial intermediary in Chinese Communist Party (CCP) interference schemes described in two separate Privy Council Office intelligence reports reviewed by Global News.

According to those same sources, Ke received around \$50,000, part of a larger disbursement from the Chinese Consulate in Toronto in the \$250,000 range that was channelled through a series of intermediaries.

[...]

-7-

One of the documents that refer to the funding schemes is a January 2022 Privy Council Office (PCO) report, which asserts that the CCP's Toronto-area network included 11 or more 2019 federal candidates, 13 or more aides, and an Ontario MPP.

[...]

The 2022 PCO memo cited in the story maintains that China's Toronto consulate directed a substantial, covert disbursement into a network comprised of at least 11 federal election candidates and numerous Beijing operatives who worked as their campaign staffers.

“A large clandestine transfer of funds earmarked for the federal election from the PRC Consulate in Toronto was transferred to an elected provincial government official via a staff member of a 2019 federal candidate,” the report states.

It did not mention the official's name or where they served and did not specify how much money was involved.

Filling in some of the gaps from the memo, sources provided more details about the alleged scheme for the Global News article: they said the consulate transferred around \$250,000 to a pro-Beijing grassroots group, and these funds went to the staff member in question.

[...]

Several sources, including a senior intelligence official with a detailed awareness of these CSIS investigations, said Ke is the provincial official.

[...]

Another PCO document that sources say was provided to the Prime Minister's Office four months after the 2019 federal election advanced similar intelligence about the financing. “Community leaders facilitate the clandestine transfer of funds and recruit potential targets,” the 2020 memo asserted, without identifying any recipients.

In the covert funding scheme, those same sources allege, the consulate disbursed around \$250,000 through a Toronto-based businessman, Wei Chengyi — and a pro-Beijing community group called the Confederation of Toronto Chinese-Canadian Organizations — through an aide to a federal candidate running for

-8-

the 2019 contest. In turn, the aide allegedly provided about \$50,000 of that sum to Ke.

[...]

The alleged transactions renew questions among some national security experts about loopholes in the Canadian electoral system that permit sophisticated interference networks from countries such as China, Iran and Russia to influence outcomes.

Video:

Vincent Ke became the first immigrant from mainland China to be elected Ontario Conservative MPP ... but intelligence sources say the MPP was also a part of an alleged foreign interference network to advance Beijing's political agenda.

During the 2019 federal election campaign, sources say the Chinese Consulate transferred around \$250,000 through a network that involved at least 11 federal election candidates, campaign staffers and other politicians both Liberal and Conservative, including Liberal MP Han Dong, who has denied the allegations.

The funds were allegedly sent first through a businessman, Wei Chengyi, then sources say the money flowed to a federal candidate staff member and to Ke, who received about \$50,000.

The allegations stem from interviews with Canadian intelligence sources, including a senior official with detailed awareness of the CSIS investigations

(b) *Vincent Ke resigns from Ontario PC caucus amid 2019 election interference*

allegations, <[https://globalnews.ca/news/9544115/chinese-election-interference-](https://globalnews.ca/news/9544115/chinese-election-interference-ontario-government-pc-mpp/)

[ontario-government-pc-mpp/](https://globalnews.ca/news/9544115/chinese-election-interference-ontario-government-pc-mpp/)>, published March 10, 2023 and updated March 13,

2023 (the “**Second Article**”, and collectively with the “**Article**”, the “**Articles**”):

Second Article:

... two sources with knowledge of the Canadian Security Intelligence Service's (CSIS) investigation into the alleged election-interference network assert that Ke received around \$50,000, as part of a larger disbursement — roughly \$250,000

Those sources also say that the amount allegedly originated with the Chinese Consulate in Toronto, which transferred the money through a series of proxies that included a pro-Beijing grassroots group and the staff member to a parliamentarian before supposedly reaching Ke.

Video: same as described in paragraph 13(a) above.

The Articles and Video are Defamatory on Their Face

14. The Defamatory Words in the Articles and Video are false and defamatory of Mr. Ke in their natural and ordinary meaning, including their implied meanings.

15. The Defamatory Words were intended to mean and are understood to mean that Mr. Ke:

- (a) is engaged in, gives material support to and is an operative in service of an election interference scheme directed by the government of China to harm Canadian democracy and undermine the rule of law;
- (b) has been identified by national security services as a threat to national security as a member of a Chinese government election interference scheme;
- (c) unlawfully received and distributed funds in the service of the government of China as part of an election interference scheme to subvert Canadian democracy;
- (d) is believed by Canadian national security services to have unlawfully received and distributed funds in service of a Chinese government interference scheme;
- (e) is a conduit for illegal or illicit foreign funds;

-10-

- (f) participated in China's scheme to subvert the democratic process and Canadian democracy and interfere with the 2019 federal election or has been identified by Canadian national security services as having participated in such a scheme;
- (g) is not loyal to, is a foreign agent and works to subvert and undermine the best interest of, his constituents, Canadian citizens and Canada;
- (h) conducts his political career for nefarious and/or unlawful purposes that are a threat to Canadian democracy and national security;
- (i) cannot properly fulfill his duties as an MPP;
- (j) is unsuitable to represent the interests of Canadian citizens as an MPP or a politician;
- (k) puts the interests of the Chinese government over that of Canada;
- (l) promotes interests of the Chinese government to the detriment of Canada and Canadian citizens, democracy and the rule of law;
- (m) is a threat to Canadian democracy;
- (n) is a threat to the national security of Canada;
- (o) is a threat to Canadian citizens;
- (p) is a dishonest person; and
- (q) is not a person of high moral character.

The Defamatory Words are False

16. The Articles, Video and the Defamatory Words contained therein include false allegations reportedly made by CSIS against Mr. Ke. To the knowledge of the Defendants, neither CSIS nor any other security service has made such allegations against Mr. Ke.

17. Mr. Ke has never been part of any scheme by the Chinese government or anyone else to interfere with Canadian election or politics. Mr. Ke has never received any illicit funds from any foreign sources or otherwise.

18. No Canadian government agency, law enforcement branch or national security services has ever reported that Mr. Ke has any involvement in an election interference scheme, contacted Mr. Ke regarding any alleged role in an election interference scheme, or subjected him to any such investigations.

The Defendants Knew Sources and Information Were Unreliable

19. The Defendants knowingly made baseless and sensational allegations against Mr. Ke in the Articles, Video and Defamatory Words solely on the basis of isolated, unverified information they knew was unreliable and they knew had been reviewed closely by law enforcement and national security agencies and deemed unreliable.

20. The fact of this review and the unreliability of the information and allegations about Mr. Ke were deliberately not reported by the Defendants.

21. Contrary to their broadcast statements and publications, the Defendants knew that the source of the information they published were not 'senior officials'. Contrary to their broadcast

statements and publications, the Defendants knew that their so-called sources did not have ‘detailed knowledge of the investigations’.

22. The Defendants also knew that Mr. Ke was not the subject of any CSIS or any security service investigation.

23. Although the Defendants knew that the information they published and broadcasted had been deemed unreliable and was, in accordance with its own journalistic standards and practice, unreliable, and in some cases non-existent, they deliberately took no steps to validate the information or to report on the unreliability and incompleteness of the information.

24. Where information was known to be unreliable and incomplete, the Defendants ‘filled in the gaps’ in a way intended to conceal the flaws in their reporting, heightening the sensationalism of its reporting and the injury to Mr. Ke. Their conduct in this regard was malicious and deliberate.

25. The Defendants purport to rely on sources who allegedly have “knowledge of Canadian Intelligence Service’s (CSIS) investigation into the alleged election-interference network”. However, the Defendants were aware at all material times that the allegations against Mr. Ke as well as the sources who provided the information to Mr. Ke were determined to be unreliable by law enforcement and national security agencies and therefore were not included in any CSIS or Privy Council Office (“PCO”) reports.

26. The Defendants were and remain in possession of information received from their sources that are material to their broadcasts and publications, which they recognised as unreliable

but chose not to report. The Defendants deliberately excluded these facts from the Articles and the Video.

27. In addition to their knowledge of the unreliability of their sources and information allegedly provided by them, the Defendants were aware that their sources had breached the *Security of Information Act*, their oaths and their duties as CSIS employees by providing the Defendants with confidential information relating to CSIS' investigations.

28. The Defendants published and broadcasted the false and highly sensational allegations against Mr. Ke based on the unreliable information provided by anonymous and disgruntled CSIS employees who had breached federal law by providing the information to the Defendants. The Defendants' conduct contravenes the *Security of Information Act*, contradicts the "rigorous set of journalistic principles" espoused by them, and falls short of any standard of responsible journalism.

29. The seriousness of the allegations against Mr. Ke, and the lack of urgency in reporting, imposed a heightened responsibility on the Defendants to verify the reliability of the sources and the information prior to publishing and broadcasting the Articles and Video.

30. Mr. Ke's racialized identity and immigrant background made him a particularly vulnerable target for the Defendants' defamatory publications and broadcasts. The Defendants were aware of the harm the Articles and Video would cause, and have caused, to Mr. Ke's reputation, political career, personal life and safety.

Reliability of Defendants' Reporting Denied by Authorities

31. Jody Thomas, the National Security and Intelligence Advisor and the most senior public servant on national security matters in Canada, testified in December 2022 to the House of Commons that the connection being made between 11 federal candidates and the \$250,000 in the media was inaccurate. She confirmed that testimony again on March 1, 2023.

32. After the publications and broadcasts of the Articles and Video, Doug Ford, the Premier of Ontario, confirmed that his office had requested and received an intelligence briefing from CSIS in or around November 2022 respecting the alleged interference scheme following media reports and the briefing did not in any way implicate Mr. Ke in an election interference scheme.

33. On April 14, 2023, Katie Telford, the Chief of Staff to the Prime Minister, testified to the House of Commons that the connection being drawn by the Defendants between the 11 federal candidates and the \$250,000 was inaccurate, and that there was a “gap and inaccuracy in the reporting” by the media. She testified that there had been “a number of things that don’t add up” in the reporting.

The Defamatory Words Have Been Widely Disseminated

34. As a prominent mainstream news media, Global News’ website attracts significant traffic — more than 22.8 million visits in March 2023 alone.

35. The Defendants also published excerpts of and links to the Articles and Video on their Twitter pages on March 10, 2023. Those Tweets collectively have been viewed more than 1 million times and have been retweeted more than 1,600 times as of the date of this pleading.

36. Global News also has posted the Video on its YouTube page. The YouTube video has garnered more than 20,000 views as of the date of this pleading.

37. Mr. Ke has no means of ascertaining exactly how many times the Articles and Video and Defamatory Words have been accessed, viewed, downloaded and shared on or through the internet, including through the many online platforms on which the Defendants published and broadcasted them.

38. While no other media has independently reported on the allegations made against Mr. Ke, the publication of the Articles and Video prompted a flurry of mainstream news media to report on the Articles and Video, thereby further disseminating the false and defamatory allegations against Mr. Ke.

Requests for Information, Retraction and Apology Refused

39. On March 28, 2023, Mr. Ke through his counsel complained to Cooper and Global News about the Defamatory Words in the Article and Video posted on March 10, 2023 and the harm they had caused him. Mr. Ke demanded that Defamatory Words be retracted and that the Defendants apologize. Cooper and Global News refused.

40. Mr. Ke has also, on numerous occasions, requested Cooper and Global News to provide a full account of the steps they had taken to verify and corroborate the information in the Articles and Video before publishing and broadcasting them, including:

- (a) The steps Cooper and Global News took to verify the reliability of their sources and the information the sources provided them including requests, if any, of intelligence officials for confirmation;

-16-

- (b) The steps they took to determine whether the information they reported was reviewed by their sources' superiors for inclusion in official reports and government briefings;
 - (c) The number of sources that corroborated the statements made about Mr. Ke;
 - (d) The efforts they made with intelligence officials beyond their sources including CSIS and the PCO, to verify and corroborate the information they reported and any responses they received in response to their efforts;
 - (e) How they communicated with their anonymous sources (e.g. email, text, phone and etc.); and
 - (f) Whether they kept records of their investigation and, if so, in what format.
41. Cooper and Global News refused to provide the information requested.
42. On April 12, Mr. Ke delivered a Libel Notice to Cooper and Global News with respect to the Defamatory Words and demanded them to remove the Articles and Video and publish an apology (the "**Libel Notice**").
43. As of the date of this pleading, the Defendants have refused to remove the Articles, Video, and Defamatory Words and have refused to apologize.

Global News Attempts to Retaliate and Intimidate

44. On April 20, 2023, the Defendant, Russell, who had co-authored the Second Article that repeats the Defamatory Words in the First Article, emailed Mr. Ke and his counsel stating that Russell and Global News were “working on a story about a series of messages allegedly posted by Vincent Ke on social media requesting donations for legal bills regarding a potential lawsuit against Global News”.

45. Russell asked Mr. Ke to answer a series of questions by a deadline of April 21, 2023:

Here are the questions we are looking to have answered.

1. In a series of messages posted to WeChat on April 16, Mr. Ke allegedly requested “donations” for a lawsuit against Global News. Can Mr. Ke confirm he has sent messages through WeChat seeking donations for his private legal fund? Has he sent similar requests through other channels?
2. In the series of messages, Mr. Ke called the fundraising efforts “donations.” Is Mr. Ke or anyone connected with the fundraising efforts issuing tax receipts for the donations?
3. Mr. Ke has said he created a “dedicated Trust account.” Can Mr. Ke provide more details regarding who is managing the account?
4. Campaign finance experts have said Mr. Ke is violating Ontario’s Members Integrity Act which prohibits MPPs from accepting a “gift, fee or benefit” that is connected directly or indirectly with the performance of his or her duties of office. What is Mr. Ke’s response?
5. Has Mr. Ke received any donations from persons outside of Canada?
6. Premier Doug Ford has said the Mr. Ke would welcome to return to the Conservative caucus in the future. Is Mr. Ke concerned that by accepting these donations he opens himself up to a conflict of interest should the donor request a favour in the future?

46. The prohibition against MPPs accepting gift, fee or benefit referred to in the questions is found in section 6(1) of the *Members' Integrity Act*, 1994, S.O. 1994, c. 38. Section 6(2) of the statute confirms that there are numerous exemptions, one of which being gifts or personal benefits approved by the Integrity Commissioner.

47. Russell had reviewed the *Members' Integrity Act* and was aware of the role that the Integrity Commissioner plays under the statute and the Commissioner's ability to review proposed conduct and opine on its compliance with the statute. Russell presumed that Mr. Ke had not received permission from the Integrity Commissioner and was soliciting funds in violation of the statute and his oath of office.

48. In an attempt to intimidate Mr. Ke and retaliate for his delivery of the Libel Notice, Russell and Global News presumed that that Mr. Ke had not sought the advice or direction of the Integrity Commissioner and implied that Mr. Ke had deliberately breached the *Members' Integrity Act*.

49. Russell and Global News' inquiry seeks to reinforce the defamatory narrative that the Defendants have constructed and published about Mr. Ke, that 1) he is engaged in illicit and illegal financial schemes, 2) has improperly accepted foreign funds, and 3) those who donate will "request a favour in the future".

50. When Russell and Global News were informed that Mr. Ke had an advance ruling from the Integrity Commissioner, they did not publish any report at all.

Report of the Independent Special Rapporteur

51. On May 23, 2023, The Right Honourable David Johnston released his First Report as the Independent Special Rapporteur on Foreign Interference. The report concluded, based on Mr. Johnston's comprehensive review of the relevant intelligence and interviews with intelligence and government authorities, that the repeated allegations that \$250,000 went to 11 election candidates "did not happen". The report does not mention Mr. Ke at all, nor does it suggest the existence of any evidence or information implicating Mr. Ke.

52. The report found that "there is no basis to conclude" that there is a "network" of 11 federal election candidates who are witting affiliates of the Chinese government.

53. Despite these public statements by senior government officials, the Premier and Mr. Johnston, the Defendants have refused to retract the Articles and Video and continue to rely on the contradictory information provided by their unidentified sources.

54. The Defendants have refused to modify in any way their false and defamatory publications and broadcast.

The Defendants' Conduct Has Been, And Will Continue To Be, Harmful to Mr. Ke

55. The false and recklessly published Defamatory Words have caused and will continue to cause Mr. Ke to suffer damage to his dignity, reputation and occupation.

56. The Articles and Video were immediately reported on by many mainstream media, including The Globe and Mail, Toronto Sun, Montreal Gazette, CBC, CTV News and Toronto

Star, resulting in further dissemination of the Defamatory Words and exacerbation of the harm to Mr. Ke.

57. The Defamatory Words have exposed Mr. Ke to a campaign of hateful and racist threats and attacks, including harassing and threatening voicemails and messages left on his office phone and social media pages/inboxes by members of the public.

58. The Defendants have further aggravated the damages caused to Mr. Ke by:

- (a) Publishing the Defamatory Words maliciously, recklessly and in bad faith, with knowledge of their falsity or reckless disregard for their truth or falsity;
- (b) Publishing the Defamatory Words without taking reasonable steps to verify the reliability of the confidential sources and the allegations, while being aware of the harm the publication would cause Mr. Ke;
- (c) Publishing the Defamatory Words on the internet, giving them absolute and immediate worldwide ubiquity and accessibility;
- (d) Republishing the Defamatory Words on a range of online and social media platforms, thereby making them accessible to an indeterminate number of third parties;
- (e) Publishing the Defamatory Words so as to discredit Mr. Ke, ruin his political career and endanger his personal safety;
- (f) Attempting to publish further defamatory statements about Mr. Ke in retaliation for his issuance of Libel Notice; and

-21-

(g) Targeting Mr. Ke because of his racial and immigration background.

59. The Defendants' false and recklessly published Defamatory Words are harmful to Mr. Ke because the effects of false accusations of being a part of the Chinese government's election interference scheme in Canada are difficult to overcome by persons of Chinese origin, particularly immigrants from mainland China.

60. The malicious, high-handed and arrogant conducts of the Defendants warrant an award of punitive or exemplary damages to ensure that they are appropriately punished for their conducts and deterred from such conducts in the future.

61. The *Libel and Slander Act*, R.S.O. 1990, c.L. 12

62. The Plaintiff proposes that this action be tried at Toronto.

June 5, 2023

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Counsel
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Jonathan C. Lisus LSO#: 32952H
jlisus@lolg.ca
Tel: 416 598 7873

Niklas Holmberg LSO#: 63696G
nholmberg@lolg.ca
Tel: 416 645 3787

Xin Lu (Crystal) Li LSO#: 76667O
cli@lolg.ca
Tel: 416 956 0112

Lawyers for the Plaintiff

WENBIN (VINCENT) KE
Plaintiff

-and- SAM COOPER et al.
Defendants

Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

STATEMENT OF CLAIM

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Jonathan C. Lisus LSO#: 32952H
jlisus@iolg.ca
Tel: 416 598 7873

Niklas Holmberg LSO#: 63696G
nholmberg@iolg.ca
Tel: 416 645 3787

Xin Lu (Crystal) Li LSO#: 76667O
cli@iolg.ca
Tel: 416 956 0112

Lawyers for the Plaintiff