

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

WARREN KINSELLA

Intended Plaintiff

and

NICK KOUVALIS

Intended defendant

NOTICE OF LIBEL

TAKE NOTICE THAT the intended plaintiff (“Mr. Kinsella”) will commence proceedings against you for defamatory statements made by Nick Kouvalis on Twitter on August 28, 2014 at 7:39 PM, 8:36 PM and 9:22 PM (collectively, the “Defamatory Publication”).

This Notice is being served upon you pursuant to section 5(1) of the *Libel and Slander Act*, R.S.O. 1990, c. L. 12.

A copy of the Defamatory Publication is set out on Schedule “A” hereto.

The Defamatory Publication contains, in particular, the following defamatory statements of and concerning Mr. Kinsella (collectively, the “Defamatory Words”):

“...don’t count [Olivia Chow] out just yet. The campaign made a very smart move dumping Kinsella et al today...”

“...@kinsellawarren et al...Good riddance...”

The Defamatory Publication includes links to the music videos for the songs “Thunderstruck” and “Irreplaceable” that are pointedly directed at Mr. Kinsella.

The Defamatory Words referred directly to Mr. Kinsella or were capable of referring to him.

The Defamatory Words meant or were understood to mean that:

1. Mr. Kinsella was fired by the Olivia Chow mayoral campaign;

2. Mr. Kinsella was making a negative contribution to the Olivia Chow mayoral campaign;
3. the Olivia Chow mayoral campaign is better off without Mr. Kinsella;
4. Mr. Kinsella was shocked and/or surprised by Olivia Chow's alleged decision to fire him; and
5. Mr. Kinsella is easily replaceable by the Olivia Chow mayoral campaign.

Mr. Kouvalis was motivated by malice when he posted the Defamatory Words. His conduct was high-handed and callous and demonstrated a total disregard for the truth or Mr. Kinsella's reputation. Mr. Kouvalis, a political conservative who has previously worked on the Rob Ford mayoral campaign, is a known opponent of Mr. Kinsella, a liberal political analyst. At no time prior to posting the Defamatory Words did Mr. Kouvalis contact Mr. Kinsella in an effort to confirm any of the facts.

Mr. Kinsella demands that the intended defendant immediately (1) delete the Defamatory Publication; and (2) publish an unequivocal apology and retraction of the Defamatory Words on Twitter, in a prominent and permanent location by the conclusion of business on September 3, 2014. Failure to do so will result in a legal proceeding commenced against you.

TAKE FURTHER NOTICE THAT Mr. Kinsella will seek damages, interest and costs in the proceeding that he will commence.

Date: August 29, 2014

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Barristers and Solicitors
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Toronto ON M5T2C8

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Lawyers for the Intended Plaintiff

SCHEDULE "A"



Tweet



Nick Kouvalis

@NickKouvalis



@CorComm don't count her out just yet. The campaign made a very smart move dumping Kinsella et al today. #TOpoli @davidakin @DesmondCole

2014-08-28, 10:39 PM





Nick Kouvalis

@NickKouvalis

+ Follow

@oliviachow to @kinsellawarren
m.youtube.com/watch?v=2EwViQ...
#TOpoli

Reply Retweet Favorite Pocket More

YouTube



Beyoncé - Irreplaceable

Music video by Beyoncé performing Irreplaceable. YouTube view counts pre-VEVO: 4,047,669 (C) 2006 SONY BMG MUSIC ENTERTAINMENT

[View on web](#)

9:22 PM - 28 Aug 2014

Flag media



nodontwanto @nodontwanto · 9h

@NickKouvalis @oliviachow @kinsellawarren Kouvalis, your crowing is childish. Grow up. #topoli

Don't miss any updates from Nick Kouvalis

Full name

Email

Password

Signup for Twitter



Nick Kouvalis

@NickKouvalis

+ Follow

I love #AC/DC. @kinsellawarren et al...
Good riddance m.youtube.com/watch?
v=XYFdld... #TOpoli
#unitingLiberals&ConservativesCoasttCoa
st 4 John Tory

← Reply ↻ Retweet ★ Favorite Pocket ... More

YouTube



ACDC Thunderstruck Official Music Video!

solo la mejor musica por alfa vaquero exelente video de accd.

[View on web](#)

@LisaKirbie bring it. (again) and (again)
#hopelessfools @LichtiSteve
@justintetreault

↩ Reply ↻ Retweet ★ Favorite ⋮ More

RETWEETS

2

FAVORITE

1



8:23 PM - 28 Aug 2014

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WARREN KINSELLA
Plaintiff

- and -

NICK KOUVALIS
Defendant

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