ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

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

SHILLERS, LLP

Barristers and Solicitors 402 – 197 Spadina Avenue Toronto ON M5T2C8

David Shiller (30506Q) Tel: 416-363-1112 Fax: 416-363-5557

Lawyers for the Intended Plaintiff

SCHEDULE "A"



11:05 PM





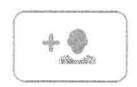






Nick Kouvalis

@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









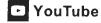


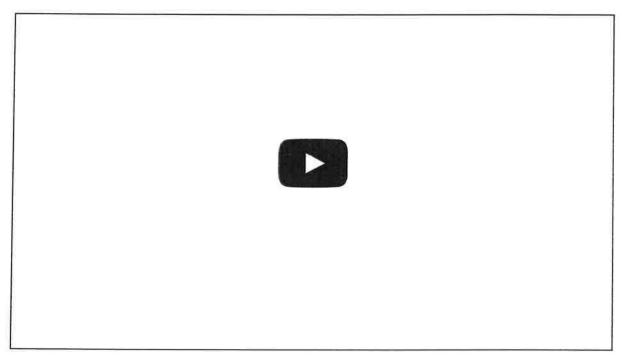


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@oliviachow to @kinsellawarren m.youtube.com/watch?v=2EwViQ... #TOpoli

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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

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nodontwanto @nodontwanto · 9h

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

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

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ACDC Thunderstruck Official Music Video!

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

View on web

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

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8:23 PM - 28 Aug 2014

Don't miss any updates from Nick Kouvalis

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