

Courts of Justice Act
STATEMENT OF CLAIM (GENERAL)

Jeff Brown and others

Plaintiff

And

The Corporation of the Town of Collingwood, Collingwood Police Services Board

Defendants

(Court seal)

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.

(Where the claim made is for money only, include the following:)

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$1,000.00 for costs, within the time for serving and filing your statement of defence you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and \$400 for costs and have the costs assessed by the court.

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

Issued by

Local registrar

Address of
court office

Barrie Courthouse – Civil
75 Mulcaster St.
Barrie, Ontario
L4M 3P2

.....

(Date of issue)

(Name, address and telephone number of lawyer or plaintiff)

TO: The Corporation of the Town of Collingwood
P.O. Box 157, 97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5

AND TO: Collingwood Police Services Board
P.O. Box 157, 97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5

CLAIM

1. The Plaintiff, Jeff Brown, claims as against the Defendant Collingwood:
 - a. a declaration that the Town of Collingwood harboured coyotes as prohibited animals under Collingwood Animal by-law 2012-016 Section 18.1 c) in Collingwood http://www.collingwood.ca/files/2012-016%20Animal%20Control_0.pdf ;
 - b. a declaration that allowing urban coyotes to roam at large in Collingwood and knowing they have and will attack and kill pets wilfully causes or willfully permits to be caused unnecessary pain, suffering or injury to animals and an offence under [s. 445.1](#) (a) of the [Criminal Code](#) which prohibits cruelty to animals.
 - c. a declaration that Defendant Collingwood policy requirements for seniors and disabled people such as autistic children to haze coyotes for their safety in Collingwood is discriminatory under Section 1 of the Human Rights Code.
 - d. a declaration that the Defendants violated the Plaintiff's Charter rights Section 7 to safety by allowing urban coyotes to roam at large in Collingwood;
 - e. a declaration that the resident deputations and Councillor Lloyds statements on April 09, 2018 on camera to the Collingwood Corporate and Community Services Standing Committee was sufficient information and concern to take action and remove the coyotes immediately from East End Collingwood.
<http://www.rogerstv.com/media?lid=237&rid=72&gid=292285> starting 1:05.4 and Councillor Lloyd 1:36:21

- f. a declaration that urban coyotes (coyotes living in or frequenting urban areas) roaming at large in Collingwood individually or in a pack are dangerous wild animals, unpredictable and a threat to public safety which includes pets;
- g. a declaration that it is not necessary to wait for an attack on a person before taking action to remove coyotes from Collingwood as coyotes have attacked people in other cities;
- h. a declaration that the attacks by coyotes on people and pets across North America is relevant in determining that coyotes are dangerous and a threat to public safety in Collingwood;
- i. a declaration that pet safety is a matter of public safety and that attacks and killings of pets in Collingwood is reason to be alarmed by coyotes and that these actions are unacceptable and require action by the Town of Collingwood to remove coyotes immediately to protect pets;
- j. a declaration that Town of Collingwood and Collingwood OPP detachment failed to provide safety under the terms of the Police Services Act by allowing coyotes to roam at large in East end Collingwood.
- k. a declaration that the coyote signage posted in Collingwood does not properly warn of the danger of coyotes to people and pets;
- l. a declaration that police intimidation complaints should not be classified as a police service issue and referred to the detachment in which the intimidation was alleged;
- m. a declaration that the investigation of the alleged police intimidation of the Plaintiff by the Collingwood OPP is in the public interest;
- n. a declaration that the Defendants violated the Plaintiff's [Charter](#) rights Section 2(b) on April 29, 2018 with the Collingwood OPP actions towards the Plaintiff and alleged intimidation at the Coyote Watch Canada information session at the Collingwood Library;
- o. an order for the Town of Collingwood to trap coyotes in the East end of Collingwood immediately;
- p. an order for compensation to Collingwood residents for veterinary bills related to coyote attacks,
- q. damages for intimidation in the amount of fifty thousand dollars (\$50,000.00);
- r. damages for negligence in the amount of twenty thousand (\$20,000.00);
- s. damages for willful blindness in the amount of twenty thousand (\$20,000.00);
- t. damages for cruelty to animals,
- u. damages for nuisance in the amount of twenty thousand dollars (\$20,000.00);
- v. damages pursuant to s. 24(1) of the Charter for violations of Section 7 and 2(b).
- w. Damages for unlawful conduct,
- x. damages for misfeasance in a public office;
- y. damages for abuse of office,
- z. damages for loss of enjoyment of life in the amount of twenty thousand dollars (\$20,000.00);
- aa. damages for bad faith;
- bb. punitive, aggravated and exemplary damages each in the amount of five hundred thousand dollars (\$500,000.00)

- cc. damages pursuant to s. 13(1) and (2) of the Fish and Wildlife Conservation Act
 - dd. his costs of this action on a substantial indemnity basis plus H.S.T
 - ee. such further and other relief as this Honourable Court may deem just.
2. The Plaintiff, Jeff Brown, claims as against the Defendant Collingwood Police Services Board;
 - a. damages for intimidation in the amount of fifty thousand dollars (\$50,000.00);
 - b. his costs of this action on a substantial indemnity basis plus H.S.T
 - c. such further and other relief as this Honourable Court may deem just.
 3. The Plaintiff Others claims as against Defendant Collingwood;
 - a. damages pursuant to s. 24(1) of the Charter
 - b. damages for bad faith;
 - c. damages for negligence;
 - d. damages for loss of enjoyment of life;
 - e. damages for willful blindness;
 - f. damages for nuisance;
 - g. damages for cruelty to animals,
 - h. an order for compensation to Collingwood residents for veterinary bills related to coyote attacks,
 - i. punitive, aggravated and exemplary damages
 - j. costs of this action on a substantial indemnity basis plus H.S.T
 - k. such further and other relief as this Honourable Court may deem just

PART I: THE PARTIES

4. The Plaintiff, Jeff Brown (“hereinafter Plaintiff”) owns a residence in Collingwood, in the Province of Ontario and is a taxpayer in Collingwood. The Plaintiff Jeff Brown is a representative claim of a group.
5. Plaintiff Others, are individuals who have joined the Facebook group <https://www.facebook.com/groups/CoyoteConcernsCollingwood/> and/or have voiced their concerns through their participation in a petition to remove coyotes in Collingwood <https://www.change.org/p/town-of-collingwood-clerk-salmas-collingwood-ca-coyote-concerns-in-collingwood-ontario-canada> and or individuals that have provided information to assist the Plaintiff to have coyotes removed; who Plaintiff Jeff Brown represents as individuals upon whose behalf the complaint is being brought. These individuals’ concerns have ben dismissed by the Town of Collingwood, have felt threatened by urban coyotes in Collingwood and are concerned over safety in Collingwood from coyotes roaming at large, had pets attacked or killed and have suffered from loss of enjoyment of life with the threat of coyotes in their neighborhoods and public space in Collingwood. They have common issues over the coyote coexistence campaign in Collingwood compromising safety of people and pets over the protection of coyotes within Collingwood.
 - a. Plaintiff others is broken into Class 1 and Class 2. Class I are people who share the common safety concerns over urban coyotes roaming at large in Collingwood. Class 2 includes individuals who have had pets attacked, killed or gone missing in areas were coyotes have been sighted and are present in Collingwood.
6. The Defendant, The Corporation of the Town of Collingwood (hereinafter “Collingwood”)

7. The Defendant, Collingwood Police Services Board (hereinafter “Police Service Board”) oversees police services in Collingwood consisting of five members, three appointed by the Town and two appointed by the Province.

PART II: BACKGROUND TO CLAIM - PLAINTIFF

8. The Plaintiff resides in the East end of Collingwood.
9. The Plaintiff has provided extensive information to file this case himself to represent many Collingwood residents and visitors. The Plaintiff hopes that he will be given the indulgence by the court to make a unique case regarding the urban coyote problem in Collingwood which will impact other cities across North America in a “David vs Goliath situation.”
10. The Plaintiff has invested significantly in capital and paying taxes in East end of Collingwood to retire and enjoy an active outdoor lifestyle, enjoy grandchildren visiting, to enjoy his waterfront property, walking in his neighborhood and in the Collingwood trail system and enjoying the wildlife of Collingwood in his residential area in the East end of Collingwood. He has reasonable expectations of safety and enjoyment of life in Collingwood without the current level of dangerous wildlife urban coyotes roaming at large in his neighborhood and Collingwood without control. His expectation of enjoyment and safety has been shattered with dealings with the Defendant Collingwood staff, Defendant Collingwood Town Council and Collingwood OPP.
11. The Plaintiff is not currently a trapper or hunter.
12. The Plaintiff lives off the Collingwood trails system with many walkers, dog walkers and a public park maintained by the Defendant Collingwood.
13. The Plaintiff wants to enjoy wildlife in Collingwood protected from the devastation from packs of urban coyotes. His property and neighborhood have become a killing ground of wildlife by coyotes, neighborhood dogs have been attacked and killed, cats have been killed and gone missing. The Plaintiff, neighbors and other Collingwood residents are living in fear of further coyote attacks – restricting their movement and enjoyment of life.
14. The Plaintiff has recently tried to launch a public inquiry into the damages being caused by coyotes across Ontario.
15. The Plaintiff, in an email to the Town of Collingwood September 15, 2014 asked for a public inquiry and independent investigation into the policies, practices and decision making of the Town of Collingwood
 - a. October 6, 2014 the Town of Collingwood Council received this concern as a Consent Agenda item.
 - b. No response was given by the Town of Collingwood.
16. The Town of Collingwood is currently under a judicial inquiry.
17. The Plaintiff is turning to the courts as an independent body in a simple matter that has been made very complicated and costly.
18. The Plaintiff alleges many people are afraid to come forward and get involved publicly given what has happened in this matter and the intimidation.
19. The Plaintiff alleges many people will not report coyote sightings to Collingwood or contact the Collingwood OPP of the threat as they know that no action will be taken.
20. The Plaintiff has been cast into the role to bring this matter to the courts for action to address the safety issues in Collingwood caused by coyotes allowed to roam at large.

PART III: BACKGROUND TO CLAIM - COYOTE PROBLEM - ATTACKS

21. Coyote attacks within Collingwood have been reported;
 - a. January 15, 2018 three tried to attack a border collie and on January 20, 2018.
 - b. January 23, 2018 East End of Collingwood -Elsa a large dog was attacked by a pack of coyotes on private property <https://www.simcoe.com/community-story/8097745-collingwood-dog-attacked-by-coyotes/>
 - c. March 16, 2018 reported to the Plaintiff via petition comments; “Neighbours have lost their pets. To date we have helped our neighbours bury 3 cats, we found a fawn and beaver both brutally killed by coyotes. They are seen walking down our street, during the day, several times they have come into our backyard, last week they came into our backyard, 5 feet away from our patio doors, in attempt to get our beagle (not a small beagle) who is always on a lead when needing to go outside. Luckily, we were watching and were able to chase them away. However, they challenged our presence and were reluctant to turn and run. Our friend was in his front yard with his dog recently, he heard this Ching-Ching noise. He wasn’t sure what it was. Suddenly, in the middle of his street a coyote was walking past, with a cat in its mouth, and it was the cats collar bell that was making the noise.” https://www.change.org/p/town-of-collingwood-clerk-salmas-collingwood-ca-coyote-concerns-in-collingwood-ontario-canada/w?source_location=petition_show
 - d. March 23, 2018 in East End of Collingwood – Blue Shores – 13 year old Pug named Wally was killed. Found mangled and dead in the area coyotes were frequenting on or near environmentally sensitive protected area of the Town of Collingwood <https://www.simcoe.com/community-story/8363393-collingwood-family-wants-action-after-dog-killed-by-coyote/>
 - e. March 27, 2018 in East end of Collingwood a large brown lab was attacked by at least two coyotes with injures of 50 stiches. Veterinary bill of over \$1,000.00. The Plaintiff was notified by email.
 - f. Collingwood Town Clerk reported to the Plaintiff that a Town of Collingwood staff member dog was attacked by coyotes with veterinary bills between \$1-2 thousand.
 - g. Reported to the Plaintiff that a family dog was killed and missing on or around April 10, 2018. Plaintiff emailed this information to Town of Collingwood.
 - h. April 03, 2018 reported to the Plaintiff on April 7, 2018) “Hello Jeff, I'm contacting you because I know you are an active member within the coyote Facebook group and are acting as a voice for the residents of Collingwood during the city council meeting on Monday. I thought it may be beneficial if I shared my story with you. On Tuesday morning my dog was let out as per our usual morning routine. A routine that she has been doing for the last 15 years of her life safely. In just seconds she disappeared from our view from our kitchen window. My family was desperately searching for her, and instead of finding our beloved dog my mother found blood. This has left my family

absolutely heartbroken, we have just lost a member of our family. There isn't anything more heart shattering than losing someone you love, especially in such a vicious way. However, I want to put all my pain and energy into ensuring that this will not happen to other families. I want to ensure no other families have to endure the pain mine has been going through since Tuesday. This is a problem that can be solved. Collingwood citizens should not have to fear for their safety and the safety of those who they love. The coyotes are terrorizing our city. I never knew how bad the situation was until this tragedy happened, but this is why it's important to bring it to light. Not only are the coyotes killing the deer and rabbit population, but our beloved pets as well. I hope my story has helped with your speech for the council. Sorry this was not included in the Coyote Concerns Collingwood "Resident report" 04-12-2018. Thank you for taking the time to read it." This was shared with Town of Collingwood Council member April 13, 2018 https://www.coyoteconcernscollingwood.com/wp-content/uploads/2018/04/email-council-04-13-2018-tragedy_0001.pdf

- i. March 12, 2019 a dog was attacked in the East end of Collingwood. The owner reported the attack on the Coyote Concerns Collingwood Facebook page on March 14, 2019 stating: "Hi Everyone, thank you for adding me. As Sherri explained, our 20lb Boston Terrier was attacked on our back deck Tuesday night. Thankfully my son was standing right there and acted quickly. The attack happened so fast, my son didn't see it coming, Daisy had no indication just all of a sudden this wild animal was there with our beloved dog in it's mouth! Greg was standing in the doorway so I don't think the coyote saw him or if it did it didn't care that he was there. Greg put his arms up making himself larger and screamed - the coyote looked up at Greg, dropped Daisy out of it's mouth and ran off. Needless to say, this was devastating for our family. Daisy suffered 4 puncture marks from it's canines. The Vet remarked about how large the coyotes mouth was. It's about 5 or 6 inches from top to bottom. She's on pain meds and antibiotics. I'm so thankful that my son reacted so quickly and the coyote didn't turn on him. These animals are strong, aggressive and fast. Something has to be done!
22. Many coyote attacks are incurring at alarming rates including;
- a. Small dog on leash <https://www.cbc.ca/news/canada/british-columbia/vancouverite-warns-pet-owners-coyote-snatches-toy-poodle-during-walk-1.4911840>
 - b. A seven year old child walking home after getting off of a bus. <https://ftw.usatoday.com/2018/11/coyote-attacks-on-two-girls-put-wildlife-officials-on-high-alert>
 - c. Three young children bitten by coyotes in Montreal https://www.ctvnews.ca/canada/3-children-bitten-by-coyotes-in-montreal-neighbourhood-1.4032467#_gus&_gucid=&_gup=Facebook&_gsc=a7z81Sf
 - d. Six year old boy attacked in a park. <https://www.mercurynews.com/2016/10/14/california-town-on-edge-after-boy-6-attacked-by-coyote/>
 - e. A twelve year-old boy attempted to save a small dog from the jaws of the wild animal. However, the incident resulted in both the death of the dog and the boy being bit in the face and groin by the coyote. <http://www.hometownstation.com/santa-clarita-latest-news/coyote-wildlife-sightings-in-santa-clarita-as-spring-season-begins-224774>

- f. London Ontario police (not an OPP detachment) tased and shot a problem coyote sighted near residential homes; <https://london.ctvnews.ca/video?clipId=538060>
 - g. Many more reports on attacks at <https://www.coyoteconcernscollingwood.com/risks/>
23. Coyotes have been roaming at large in Collingwood with large packs up to 10 in residential areas with frequent sightings and evidence of coyotes in the East end of Collingwood.
- a. Residents appeared on camera before the Town of Collingwood giving their accounts with the coyote problem;
<http://www.rogerstv.com/media?lid=237&rid=72&gid=292285> Collingwood Corporate and Community Services Standing Committee 04-09-2018
 - b. Coyote Concerns starts at time stamp 7:43 of the video. Other speakers supporting coyote concerns start at 1:05:41 Corrie, Brenda 1:108:32, Wayne 1:14.32. 1.18.14, 1:25.14
 - c. Councillor Lloyd 1:36:21 of the video discusses the danger and threat of coyotes in the East end of Collingwood and the need to take immediate action.
 - d. https://www.coyoteconcernscollingwood.com/wp-content/uploads/2018/04/2018-02-20-90-full_coyote_sighting_report_S.pdf coyote sighting report Town of Collingwood 08-24-2017 to 02-18-2018.

PART IV: BACKGROUND TO CLAIM - COYOTE PROBLEM – TERMINOLOGY, OTHER

24. Urban coyotes;
- a. are coyotes living or frequenting an urban area.
 - b. are often in packs which becomes much more dangerous than a single coyote in the wild.
 - c. a single coyote in the wild is often the image that portrays coyotes.
 - d. as a pack of coyotes on a city street or residential backyard is a very different image.
 - e. see people often and become less fearful of people.
 - f. will kill dogs to protect the coyote's urban territory and not necessarily to eat them as prey.
 - g. can and have climbed backyard fences to attack pets and children.
 - h. are not often recognized as a problem until an attack happens. People who did not think about or become aware of the existence of urban coyotes become engaged in the issue after their pet or neighbors' pet is attacked.
 - i. are attacking people across North America at alarming rates.
 - j. are attacking and killing pets across North America at alarming rates.
 - k. have no natural predators in urban centers until we allow packs of wolves and bears to roam at large in urban centers.
 - l. bring diseases into our communities which are not monitored or controlled
<http://scientificwildlifemanagement.com/diseases-coyotes-can-carry-3/>

25. We need to distinguish between urban coyotes (living in or frequenting urban centers) and coyotes in the wild when considering how dangerous they are, and if and where they need to be protected and appropriate coyote rights vs people and pet rights in urban centers.
26. Problem urban coyotes are coyotes that are accustomed to seeing people, appear not to be afraid of people, or aggressive towards people, habitualized and/or have attacked people or pets.
27. Many cities that trap and or remove coyotes start with addressing the problem coyotes which is hard to determine when a pack(s) is present in an urban area and it is not clear which coyote attacked.
28. There is no reported rabbit population problem in Collingwood or ecosystem imbalance that requires immediate coyote intervention.
29. Urban coyotes eat wildlife in urban centers until their food supply is gone and then they will move on – devastating wildlife on their journey to survival and leaving an ecosystem imbalance and/or devastated.
30. Recent research reports coyotes eat 8% of their diet from cats and it is difficult to determine the % of their diet from dogs as dogs have similar DNA as coyotes – making testing difficult;
 - a. https://www.latimes.com/local/california/la-me-urban-coyote-diet-20180323-story.html?fbclid=IwAR033KgS2Hr_anM2ZojPmDUexOmf60RDTDPuXmstJS9C8gKXTgECagoNpTo
31. Cities will always have sources of food for wildlife as we will continue to have roadside garage pickup, fruit trees and bird feeders.
32. Police departments across North America take an active role in protecting residents and resident pets in their communities from coyote attacks and threats.
33. A sign posted in Green Hills California states; “WARNING COYOTES IN THE AREA. COYOTES ARE WILD ANIMALS AND CAN BE DANGEROUS. DO NOT ENCOURAGE THEM TO APPROACH. THEY ARE SMART, FAST & AND WILL TAKE WHAT THEY CAN GET. KEEP THEM AT A DISTANCE. NEVER FEED COYOTES.”
34. Signs posted in Collingwood state, “COYOTES MAY BE PRESENT, Do not feed coyotes, Keep pets on leash, If a coyote approaches: appear large and aggressive, make loud noises, back away slowly, do not run.”
35. Young children and seniors in Collingwood cannot reasonably appear large and aggressive nor can handicapped individuals to haze coyotes.
36. Coyote hazing does not work to move them out of an urban area
 - a. <https://www.cbc.ca/news/canada/calgary/aggressive-coyote-put-down-calgary-1.4740214>
37. Collingwood is an active community with a great trail system in which people run and move freely.
38. The Ontario taxpayers are paying out millions of dollars in damages from coyotes through the Ontario Wildlife Damage Compensation Program a five-year, \$1.5 billion federal-provincial-territorial funding program launched in 2013.
 - a. In Ontario, from April 2017- March 2018 there were 1,428 killings by coyotes with \$561,640.41 in compensation paid to farmers of the \$796,098.56 annual payout. Coyote killings represented 74.96% of killings and 70.55% of compensation paid.

- b. This program was under review and there are many claims which are denied with changes effective February 2, 2019 to deny fewer claims and pay more per claim to FMV. This does not include the killing of pets across Ontario nor the administration costs of the program.
 - c. <http://www.omafra.gov.on.ca/english/livestock/predation.htm>
 - d. <https://ofa.on.ca/resources/ontario-wildlife-damage-compensation/>
39. The Plaintiff and Collingwood residents have been referred to The Ministry of Natural Resources and Forestry (MNRF) by the Town of Collingwood and Collingwood OPP when coyote issues arise.
40. The MNRF is mandated to protect wildlife and therefore promotes coexistence with urban coyotes.
- a. The MNRF does not know what the coyote population is, the number of coyotes hunted and trapped annually, the damages coyotes do, the number of attacks and killings coyotes are responsible for and fails to control the diseases coyotes carry into communities.
 - b. MNRF recommended the Plaintiff build a fence to protect his property (cage himself in like an animal to protect himself from dangerous wild animals in his neighborhood) while failing to realize that coyotes can and do climb over fences.
 - c. MNRF recommended the Plaintiff install motion lights to scare coyotes away while coyotes roam at large in Collingwood and other communities day and night.
41. The MNRF has acted in the best interest of coyotes (urban and coyotes in the wild) while overreaching into public safety issues in urban centers.
42. Ontario taxpayers are paying out millions in damage compensation for coyotes while;
- a. the MNRF is telling us to coexist in cities while accepting the fact that coyotes will kill our pets without compensation.
 - b. the MNRF allows hunting of coyotes but no effective control of coyote population.
 - c. cities will not remove coyotes but allow them to roam at large while accepting the killing of pets by coyotes fighting for their urban territory with no predators.
 - d. farm animals have a value within government programs while our killed or injured pets have no value within the existing government wildlife damage compensation programs.
43. The Plaintiff has extensively researched and compiled data on many reported coyote attacks across North America available at <https://www.coyoteconcernscollingwood.com/risks/>
- a. concluding that coyotes are attacking and killing; small and large dogs and cats, (attacked dogs on short leashes with the owners present) climbed fences into backyards to attack pets and a child, attacked and dragged a young boy playing in a public playground, attacked a number of joggers and attacked many other adults.
 - b. The wildlife spokespeople often undermine the issue and danger and deflect the issue to allegations that residents are providing food to the coyotes or pets are not on leash.
44. The Plaintiff has refuted much of the deceptive information made available about urban coyote issues.
- a. At <https://www.coyoteconcernscollingwood.com/urban-coyote-thesis/> to further demonstrate the government mismanagement of the coyote problem.
45. It is common for urban coyote coexistence advocates to;
- a. use unsupported science suggesting hazing works.

- b. suggest trapping/culling will add to the population.
 - c. suggest the destruction of coyote habitat is causing the urban coyote sightings.
46. The plaintiff has researched science behind the urban coyote problem and experts who actually deal with the coyote problem;
- a. <http://scientificwildlifemanagement.com/our-services/urban-wildlife-management/>
 - b. <https://www.coyoteconcernscollingwood.com/science/>.

PART V: BACKGROUND TO CLAIM - LAWS IN PLACE TO ADDRESS COYOTE PROBLEM

47. Coyotes are legally hunted across North America for sound reasons and population control approved by Federal, Provincial and State governments,
- a. at significant levels of thousands annually.
 - b. protecting coyotes in urban centers by Municipal politics as in Collingwood defies reasonable logic or right to public safety for residents, dogs and cats.
 - c. approximately 70,000 coyote pelts per quarter are sold at the North American Fur Trade Auctions in Toronto.
 - d. https://portal.nafa.ca/webcenter/portal/Auction/pages_wildfur/wildfur_home
48. The Ministry of Natural Resources and Forestry publishes wolf and coyote hunting activity together (based on replies from a sample of hunters).
- a. In 2017 there were 3,765 active hunters with 311 wolves and coyotes harvested, in 2016 there were 3,792 active hunters with 226 wolves and coyotes harvested.
 - b. <https://www.ontario.ca/data/wolf-and-coyote-hunting-activity-and-harvests>
49. The Fish and Wildlife Conservation Act governs the laws pertaining to wildlife. Under Section 31 “Protection of property. 31 (1) If a person believes on reasonable grounds that wildlife is damaging or is about to damage the person’s property, the person may, on the person’s land, (a) harass the wildlife for the purpose of deterring it from damaging the person’s property; or (b) capture or kill the wildlife. 1997, c. 41, s. 31 (1).”
- a. <https://www.ontario.ca/laws/statute/97f41>
50. Ministry of Natural Resources and Forestry has issued Rules for Harass, capture or kill a wild animal damaging private property;
- a. You don’t need a permit to scare away, capture or kill most wild animals, if the animal is causing damage to your property.
 - b. You or your agent must abide by all municipal by-laws and other applicable laws.
 - c. not harass, capture or kill more wildlife than is necessary to protect your property
 - d. deal humanely with wildlife that is killed, captured or harassed
 - e. restrict activity to your property
 - f. not destroy the den of a furbearing mammal or a black bear without approval from MNRF. Requirement for approval does not apply to fox or skunk dens
 - g. release captured live wildlife within 24 hours
 - h. release captured live wildlife within 1 kilometre of where they were captured

- i. release wildlife on private property **only** with the landowner's permission
 - j. Wildlife agents can only act, if the landowner of the property asks them to. Property owners or their agents may dispatch captured wildlife if they do not cause unnecessary suffering.
51. Effective July 1, 2013 <https://www.ontario.ca/page/harass-capture-or-kill-wild-animal-damaging-private-property>
 52. The Fish and Wildlife Conservation Act Section 13 states; Obstruction of hunting, trapping or fishing 13 (1) A person shall not interfere with lawful hunting, trapping or fishing by,(a) tampering with traps, nets, bait, firearms or any other thing used for hunting, trapping or fishing; (b) placing himself or herself in a position, for the purpose of interfering, that hinders or prevents hunting, trapping or fishing; or (c) engaging in an activity, for the purpose of interfering, that disturbs or is likely to disturb wildlife or fish. Notice without authority (2) A person shall not purport to give notice that entry to premises is prohibited for the purpose of hunting or fishing or that hunting or fishing is prohibited on premises unless the person has authority to give the notice. 1997, c. 41, s. 13.
 - a. <https://www.ontario.ca/laws/statute/97f41>
 53. Coyotes have been successfully trapped in many cities across North America.
 54. The Town of Collingwood has an animal control department, a by-law department and is under service agreement with the OPP for approximately \$5 million per year for enforcement and protection services.
 55. Collingwood by-law 94-17 regulating the discharge of firearms and permits the use of a fireman "by individuals licensed to trap fur bearing animals within the County of Simcoe under authority of the Game and Fish Act of Ontario, R.S.O. 1990 with permission of the owner or tenant of property or at the request of the Police Service for the sole purpose of the destruction of an animal posing a nuisance or threat to inhabitants or to humanely destroy an animal in distress."
 - a. This is relevant once a coyote is trapped as it can't legally be relocated more than 1km; it needs to be destroyed.
 - b. (<http://www.collingwood.ca/node/17993>)
 56. Coyotes and wolves have mated with the offspring, now a coywolf species.
 57. Hunting of coyotes has been banned in certain areas to protect a controversial new "Algonquin wolf species" in Algonquin Provincial Park, Kawartha Highlands Provincial Park, Queen Elizabeth II Wildlands Provincial Park, Killarney Provincial Park. This contributes to an increase in the population of coyotes and movement to find new territories.
 - a. <https://news.ontario.ca/mnr/en/2016/11/new-hunting-rules-for-coyotes-and-wolves.html>

PART VI: BASIS OF CLAIM

THE CLAIM AGAINST DEFENDANT COLLINGWOOD

58. The Plaintiff alleges, animal activist, wildlife advocates and coyote advocates have pressured and influenced the Collingwood OPP, Defendant Collingwood Town Staff and Defendant Collingwood Town Council. The opportunity for influence became apparent after the 2015 OPP killing in Collingwood of a dog mistaken to be a coyote.
59. The Plaintiff alleges Defendant Collingwood has been aware of coyote issues and laws to trap coyotes.
60. The Plaintiff alleges sightings of coyotes frequenting the East end of Collingwood near and on his property and entering his property from the street and in his neighborhood and other areas of Collingwood.
61. August 29, 2017 email from Scott Gordon, Municipal Law Enforcement Officer Clerk Services Department, Town of Collingwood to Sara Almas stating; "Hi Sara, Coyotes: Just a reminder, we are still hoping for some feedback for department heads about the MNR suggestion to consider getting a trapper to remove (kill) the coyotes(s) in the east end of Town."
62. August 29, 2017 email from David Zeinstra to Sara Almas, "Subject: RE: Help. Essentially the MNR has referred any additional responsibilities (outside of education) to the municipality. As there are alleged occurrences in which coyotes are coming in close contact with humans the municipality would have the authority under the Fish and Wildlife Conservation act to trap in the protection of property. If we were to do this the MNR recommended dispatching the animal. If we were to do this the municipality would need to weight the options of public perception of removing animals for protection of property and citizens vs dispatching the coyotes. The MNR noted it is possible to trap and move coyotes, but they would likely come back. In that parcel of town owned green area there is an alleged coyote den which is believed to be the root of the problem."
63. The Plaintiff, became aware of coyote concerns in his neighborhood of the East end of Collingwood on or around the time of a media report of a January 23, 2018 attack on a dog in his neighborhood.
64. A Facebook group was formed on the Plaintiffs street which communicates the presence of coyotes to help residents to restrict their movements to avoid conflict with coyotes.
65. The Plaintiff alleges he first communicated coyote concerns to the Town of Collingwood via email on February 09, 2018 to Doug Daley, Supervisor, Parks Department. Doug forwarded the email to the By-law department.
66. February 15, 2018 Adam Harrod responded to the Plaintiff with "in general the Town of Collingwood does not control or provide any service for wildlife... To learn more about coyotes, including how to deal with coyote problems, call you local Ministry of Natural Resources and Forestry district office."
67. February 15, 2018 the Plaintiff emailed Adam Harrod of the Town of Collingwood By-law department stating; "Please be advised that there has been recent activity of coyotes on Georgian Manor Dr. This is new and aggressive behaviour by the coyotes day and night. The neighborhood is very concerned over safely and would like assistance to deal with this problem in a proactive way."

68. February 15, 2018 the Plaintiff replied to Adam Harrod email stating; “Thank you for your response. I think the Town of Collingwood in general should be concerned about safety on our streets to include wildlife control. The risk assessment is incorrect as this is unusual activity in our area. This is a new problem in our area. The coyotes are frequent to our area. The argument that doing something with the current coyotes is not a fix as others will follow is not a sound approach. I have lived on Georgian Manor drive for over 40 years and we have not had this problem. If the Town of Collingwood was to deal with the three coyotes now; we can see if others return and deal with it accordingly. I just cleaned up a mess blood and rabbit parts from within 15 feet of my door. I was away for several days and if I had have been home and outside at the time – a pack of three coyotes could do a lot of damage to me. I enjoy to BBQ and come and go on my property at all times of the day – now I see tracks daily and I have seen the coyotes on several occasions which put me at fear in my neighborhood. I think we can do something meaningful about this problem and not wait for a tragic loss before taking action. If a human is attacked by these three coyotes, or a dog on a leash; what will the Town of Collingwood do?”
69. February 16, 2018 Adam Harrod, Municipal Law Enforcement Offer, responded to the Plaintiffs email stating; “Mr. Brown, Thank you for your email. If a coyote posing a threat or danger to public safety, please call the Ontario Provincial Police. The non-emergency phone number for the OPP is 1-888-310-1122. The Town’s Animal Control Department does not engage in management of wildlife but has provided information and education on reducing wildlife conflicts as supported by the Ministry of Natural Resources and Forestry (MNRF). Our municipality’s primary animal control responsibilities are limited to domesticated animals such as dogs and cats, as well as assisting the Ontario Provincial Police as necessary. Only a few much larger municipalities have taken on additional wildlife programs at their own discretion with significantly more financial resources and capacity. To learn more about coyotes, including how to deal with coyote problems, call your local Ministry of Natural Resources and Forestry district office.”
70. February 16, 2018 the Plaintiff called the Collingwood OPP regarding the threat from coyotes at his Collingwood property. The subsequent steps with the Collingwood OPP are in section CLAIMS ARISING FROM COLLINGWOOD OPP DETACHMENT.
71. February 16, 2018 the Plaintiff emailed Adam Harrod regarding approval to trap coyotes.
72. February 17, 20148 Adam Harrod emailed the Plaintiff stating; “Mr. Brown, Please contact the Ministry of Natural Resources and Forestry in regards to your question about permit requirements to capture or kill coyotes on private lands in Collingwood. The phone number for the Midhurst district office is 705-725-7500.”
73. February 17, 2018 the Plaintiff emailed Adam Harrod asking; “Adam, Thank you for responding. Could you also please contact the MNR and obtain a permit for the Town of Collingwood on behalf of residents to capture or kill coyotes.”
74. February 19, 2018 the Plaintiff emailed Adam Harrod stating; “Please be advised that I was awoken by the disturbance of the howling of coyotes at approximately 6:20 am this morning in the Georgian Manor Dr neighborhood of Collingwood. This continued and unacceptable nuisance and threat (demonstrated attack in our area) from the presence of these wild animals needs to be deal with. Please note the referring this matter to the OPP is ineffective. The OPP will not trap coyotes. If I was walk out side and had immediate threat from the animals and

called the OPP the animals would be gone before they arrive. They would then tell me that they will not trap the coyotes. Referring this matter to the MNR is not effective as they do not trap coyotes. Please exercise the appropriate laws in put the appropriate services in place to remove these three wild coyotes (animals) from our community.”

75. February 20, 2018 email to the plaintiff from Adam Harrod stating; “ Mr. Brown, Thank you for all of your emails. I have spoken to Councillor Ecclestone as well as Staff Sgt. Ward and am waiting on a call back from staff at the Ministry of Natural Resources and Forestry. I hope to follow up with you sometime this week in regards to some of your questions / concerns regarding coyotes in Collingwood.”
76. The Plaintiff exchanged a number of emails with the MNRF regarding the coyote problem in Collingwood.
77. February 27, 2018 MNRF provided an email response to the Plaintiff request to determine boundaries of Crown property for hunting stating; “Hello Jeff, Crown Land includes shore lands and the beds of most lakes and rivers, the Crown Land would begin at the water’s edge. I will speak to our Lands Specialist about supporting documentation for this. For the boundaries of where the Town of Collingwood jurisdiction applies and the boundaries of the Town of Collingwood, you would be best to speak to the municipality.”
 - a. The MNRF confirmed “Collingwood is in Wildlife Management Unit 81B, and coyote season is open all year, from January 1 to December 31.”
 - b. The MNRF confirmed “dogs (and other domestic pets) and livestock are property under the FWCA”
78. March 6, 2018 the Plaintiff emailed Sara Almas requesting; “Sara, Could you please confirm the position of the Town of Collingwood in terms of jurisdiction of Collingwood by-laws over the waters/ice of Georgian Bay abutting onti the Town of Collingwood and waterfront properties in Collingwood. Thank you, Jeff Brown.”
79. The Plaintiff, alleges the Town of Collingwood, head of the by-law department, Sara Almas refused to confirm Collingwood by-laws had jurisdiction over the ice of Georgian Bay which is Crown property.
80. The Plaintiff, alleges Defendant Collingwood interfered with the rights of the Plaintiff to address the immediate coyote problem by having them hunted off of the ice on Georgian Bay in the East end of Collingwood with no cost to the Plaintiff.
81. The Plaintiff pleads Defendant Collingwood gave notice that entry to premises is prohibited for the purpose of hunting or is prohibited on the ice off of Collingwood.
82. The Plaintiff, pleads Collingwood interfered with lawful hunting and trapping of coyotes under Section 13 of the Fish and Wildlife Conservation Act, 1997.
83. The Plaintiff, alleges trappers would not trap on his property because they required Town of Collingwood approval/acceptance and realized the Town of Collingwood did not approve of trapping coyotes.
84. The Plaintiff, alleges hunters were available and willing to hunt the problem coyotes on the crown property of Georgian Bay off of Collingwood if approval was provided by the Defendant Collingwood and Collingwood OPP.
85. February 28, 2018 the Plaintiff emailed Sara Almas, Town of Collingwood Clerk and Mary Shannon of Collingwood OPP stating; “Please be advised coyote(s) are roaming at large frequently on Nip Spooner Park. I believe your “coyote sightings” form was not notified of this,

is not reliable and actionable. I believe a call from a resident on Huronia Pathway was dismissed by the Town of Collingwood. Small children and small dogs visit this park and are neighbours to this park. I realize any action is contrary to the actions to date and to the awareness and coexist campaign of Coyote Watch Canada and MNR; but now that you are aware of the risks of coyotes to people and our pets, the park should be closed until you deal with the coyotes.”

86. February 28, 2018 the Plaintiff sent an email to Sara Almas and Mary Shannon stating; “Please be advised coyote(s) are roaming at large on Town of Collingwood property and onto abutting residential properties on the East Shoreline of Blue Shores development and the neighboring development. I believe your “coyote sightings” form was not notified of this, is not reliable and actionable. I believe a call from the Board of Director of Blue Shores was dismissed by the Town of Collingwood. March break is approaching and many grandchildren visit Blue Shores. I realize any action is contrary to the actions to date and to the awareness and coexist campaigns of Coyote Watch Canada and MNR; but now that you are aware of the risks of coyotes to people and our pets, the Town property in this area should be prevented to house coyotes. They frequent this property daily and use it as a home base to roam at large into the Georgian Manor Drive area and Blue Shores.”
87. The Plaintiff alleges Defendant, Collingwood failed to remove coyotes which were causing a nuisance, danger and a threat to his safety and public safety.
88. On March 02, 2018 the Plaintiff launched a Facebook group to communicate the coyote concerns in Collingwood; <https://www.facebook.com/groups/CoyoteConcernsCollingwood/>
89. March 03, 2018 the Plaintiff filed a Freedom of Information request # FOI A17-1804 to try and understand the Defendant Collingwood handling of coyote problems.
90. The Plaintiff alleges the Defendant Collingwood, Town Clerk oversaw the Freedom of Information Request from the Plaintiff – overseeing the redaction of documents and what the Plaintiff received regarding his research on how Defendant Collingwood had handled coyote concerns.
91. March 04, 2018 the Plaintiff launched a website to communicate coyote concerns; <https://www.coyoteconcernscollingwood.com/> to help bring awareness of the coyote problem and address the coyote problem.
92. March 09, 2018 the Plaintiff received a copy of the Police Services Agreement from FOI A17-1805.
93. March 16, 2018 the Plaintiff met with Sara Almas Clerk Town of Collingwood and Dean Collver Director, Parks, Recreation & Culture; and in advance of the meeting the Plaintiff sent a 4 page document for agenda and recommendations on the coyote concerns in Collingwood.
94. March 19, 2018 the Plaintiff sent an email to provide comments to Dean Collver regarding a Town that hired a trapper to deal with their coyote problem which was contrary to the wildlife expert recommendation presented to the Town.
 - a. <https://youtu.be/aws80NtssdI>
95. On March 19, 2018 Dean Collver emailed the Plaintiff stating: “So I am following up with Nags Head to find out why a presentation such as this led to a trapping program”.
96. March 19, 2018 the Plaintiff emailed Defendant Collingwood staff Dean Collver stating “I took another look at the video. <https://youtu.be/aws80NtssdI>. Points of interest from a concerned resident and Town council members stand point are clear at the end of the video in which concerned Councillors asked questions.

- a. The Town Council had a problem to deal with – coyote concerns by residents. The Biologist shared his perspective on the options – he understandable had a preferred option which was not embraced by this community.
- b. The Council questions at the end of the video 28:05 A question was asked if coyotes would attack dogs on leashes which was a concern of residents. The biologist stumbled with this answer – but the answer yes they could as coyotes are looking for food. We have this same concern in Collingwood. It would be nice if Council members would share these concerns.
- c. 29:21 My understanding is he was wondering if the hunting ban of coyotes could be lifted in one of the counties that effected his government. Did not think the red wolf issue applied in the urban area.
 - i. Effectively the councillor wanted the hunting ban lifted independent of all the tool box options discussed by the Biologist. He wanted to get rid of the coyotes from his area.
 - ii. Coyotes can be hunted in the Collingwood area and trapped. His concerns are similar to the coyote ban north of us by a MNRF controversial policy developed to protect a wolf species. Interestingly, this community is also suffering the consequence of ban on hunting which clearly effects the population and pushes coyotes into urban areas. From a resident perspective; I am not surprised the Town Council decided to take action and remove coyotes from their city with the use of a trapper that the Town hired and paid.

I would arrive at the same decision given the biologist presentation; coyotes can and are hunted to help control the population. Actually he builds a great case that coyotes are spreading in many other and new communities. This builds the case that there is high population growth which is not being effectively controlled. To suggest coexistence in urban centres is ignoring the route of the problem. To risk pets and residents to allow further population expansion of coyotes would be irresponsible to urban residents. Are you at the point where you are interested in meeting with a professional licensed coyote hunter. I am meeting with a group this week who could resolve this problem very quickly with Town of Collingwood approval of using larger Town property areas. I will pay for it.”

- 97. The Plaintiff pleads the Defendant Collingwood was aware of trapping programs and acted with willful blindness and in bad faith to hide this from Collingwood Town Council, Staff Report C2018-10 and C2018-13.
- 98. The Plaintiff alleges March 23, 2018 a dog was attacked and killed by a coyote at the Blue Shores development in Collingwood.
- 99. The Plaintiff met with the victims of the coyote attack of March 23, 2018 and witnessed their pain, suffering and fear of future attacks in their area and potentially on their grandchild.
- 100. The Plaintiff pleads Defendant Collingwood was negligent for the dog attack on March 23, 2018 in the neighborhood of close proximity of the Plaintiff.
- 101. The Plaintiff pleads this incident was very upsetting and avoidable if the Plaintiff concerns over safety in his area had not been dismissed by Defendant Collingwood.

102. April 02, 2018 the Plaintiff emailed Defendant Collingwood Council with a link to a deputation the Plaintiff was presenting a Town Council Meeting April 09, 2018.
103. April 05, 2018 the Plaintiff emailed Defendant Collingwood Council Members, CAO, Town Clerk and Mary Shannon of OPP stating; "<http://www.rcinet.ca/en/2014/11/17/coyote-attacks-increase-in-ontario/> You need to move away your misguided position of coexistence before this explodes – and more tragedy in Collingwood happens on your watch. Coyote Watch Canada has lost it's credibility as the government go to group – to calm down residents and blame residents for feeding coyotes as the source of the coyotes food and the position to enjoy these wonderful animals and that we are more likely to be hit by lightning than bit by a coyote – they are now saying "Something's happened and there's been a change in coyote behaviour." We have been telling you this for a month – coyotes are dangerous – they kill at any opportunity – they are killing our pets - they are not afraid of people in our city – packs of coyotes are roaming at large on our streets, parks, trails and into our yards. Collingwood is unsafe!!! Act now! Do not wait for future committee meetings to discuss this and look for information to try and support your failed coexistence policy to date. A case of negligence is mounting. A simple and effective while controversial solution to some is trapping the coyotes in Collingwood for several thousand dollars – I will pay for it! Concerned Collingwood Resident Jeff Brown"
104. April 05, 2018 Councillor Madigan emailed the Plaintiff stating; "Mr Brown, Thank you for the continued information. Council etiquette is that the mayor answers all emails but after seeing the last three with no response I felt the need to reach out. My schedule is hectic as I have just returned from vacation but I would love the opportunity to chat."
105. Plaintiff alleges Councillor Madigan was prevented from meeting with the Plaintiff by Defendant Collingwood.
106. The Plaintiff alleges Mayor Cooper did not respond to the Plaintiff's emails regarding coyote concerns.
107. April 09, 2018 Collingwood Corporate and Community Services Standing Committee heard depositions from the Plaintiff and other concerned residents. The following are key events and statements made on record with Defendant Collingwood;
- a. Agenda item " 8.1 C2018 Coyote Concerns" in which Collingwood Staff presented staff report 2018-10. Time Stamp 42:07;
 - b. Adam Harrod "stated coyote conflicts with dogs is fairly common in an urban area this is because dogs may be seen as competition or prey and cats may be seen as prey as well"
 - c. The Plaintiff presented a deposition to the committee. Time Stamp 7:47
 - d. Adam Harrod stated "The presence of a coyote in an urban area is not cause for alarm" Time Stamp 49:30
 - e. A Collingwood resident presented deposition to the committee. Time stamp 24:52
 - f. Council Lloyd stated "Madam Chair, Boy I will tell you from what I have read and heard tonight. I have to say that it would be obvious that there are certain packs in this Town that have become habitual and pose a danger to the community, it is obvious. Therefore, I would suggest or my stance is that any potential threat from the coyotes in your communities or any other communities that pose a threat through these coyotes, that these coyotes be removed. I am an animal lover. I have a little dog and have always had dogs. I have nothing against coyotes but listening to the type of life you have to live

today verses the life you probably lived before because of a pack of coyotes making your community inaccessible to the things you like to enjoy as part of your lifestyle is not right. Therefore, I think before we, I believe in education, I believe we put in a process, some sort of education program for now on, but I do believe that before any educational programs and any coexistence programs take place that this immediate danger be eliminated for you.” Time stamp 1:36:21

- g. Councillor Eccelstone stated; “if the solution was to trap and euthanize coyotes for the solution I would be all over that to move them the threat from your area but it appears that from everything that I have read that is not the solution because you are going to have coyotes come in from another area – come in and take their place so – I just wonder what the solution what the solution is – it is not easy – I do not know what to recommend – if we got rid of the coyotes from your area then there are going to be additional ones coming in – unfortunately I can’t offer much of a solution” Time Stamp 1.40:24
- h. Councillor Lloyd stated” I believe that this immediate threat should be addressed before we put in place the other methods of dealing with this – I think the immediate threat to this community is viable it’s imminent and it should be before we start to discuss this over x number of weeks and deal with veterinarians – it should be addressed quickly because I believe it is an immediate threat to our community - so prior to if we could bring something to Council that says this immediate threat or another immediate threat of coyotes on the lifestyle and danger and existence because of coyotes that we do so – we can go on for ever and these people are living in a nightmare” Time stamp 1:44.43
- i. A video copy of Councillor Lloyd statement is available at - (<https://www.youtube.com/watch?v=okMkAjNtrVE>) and on the Town of Collingwood website at <http://www.rogerstv.com/media?lid=237&rid=72&gid=292285>
- j. The Plaintiff alleges Defendant Collingwood, Town Clerk ,Sara Almas interfered with attempts by Councillor Lloyd to recommend, by motion, for an immediate action by the Town of Collingwood to address the coyote issue in East end Collingwood.
- k. The Plaintiff alleges the Town Clerk and COO interfered with the meeting and advised the chair person which contravenes the Municipal Act Section 73. Time stamp 1.45:42
- l. Councillor Lloyd stated “yes I would like to add that the immediate threat to our community particularly the area we have been discussing tonight is addressed quickly through the removal of these coyotes so the danger is eliminated for this particular community” Time stamp 1:46.53
- m. The Town Clerk amended the motion “that the committee receive the staff report and request staff report back to Council on an investigation on various options to remove the immediate threat in the East end of Town.” Time Stamp 1.58:44
- n. Councillor Eccelstone stated; “I support Councillor Lloyd motion and I think that it is an immediate threat that we should deal with quickly and professionally – like we should get some trappers in and do it professionally euthanize as opposed to killing them by rifle or whatever but we deal with others if they are replaced we will deal with that at another time” Time stamp 1:54.31
- o. The Plaintiff alleges the Chairperson turned to the Clerk for a recommend amendment to the motion.

108. The Plaintiff Pleads Defendant Collingwood, Town Clerk actions were an abuse of office and contravened Section 73 of The Municipal Act with the Clerk's comments and interference with the motion by Council Lloyd on April 09, 2018 at the Collingwood Corporate and Community Services Standing Committee which defeated the Staff report c2018-10 as issued and to which the Town Clerk was instrumental in creating, approving and proposing to Defendant Collingwood Council members.
109. The Plaintiff alleges Defendant Collingwood By-law department required a senior resident taxpayer of many years living in the East end of Collingwood to learn to coexist with coyotes.
- a. <https://www.youtube.com/watch?v=6-l6nzlPr8A>
110. The Plaintiff alleges a neighbor appeared at the April 09, 2018 Collingwood Corporate and Community Services Standing Committee stating;
- a. "I feel like a prisoner",
 - b. "I am terrified",
 - c. I was told (by Defendant Collingwood) "you have to learn to coexist" ,
 - d. "Some times I go visit neighbors in the evening and I walk home. I don't do that anymore",
 - e. "I should not have to change my lifestyle because of them",
 - f. "I also do not like the fact that I am made to feel that we are responsible for the problem",
 - g. "they have come into our area and made life very uncomfortable".
111. At the April 09, 2018 Collingwood Corporate and Community Services Standing Committee meeting a resident made statements on the need to remove the coyotes and the safety issues related to the coyotes. Time stamp 1:47;53
112. The Plaintiff pleads the action to impose coexistence with urban coyotes roaming at large frequently in his urban neighborhood on him and his neighbours is abuse of office, insensitive and malicious.
113. The Plaintiff alleges Defendant Collingwood took action to further delay the removal of coyotes in the East end of Collingwood to further endanger the neighborhood of the Plaintiff.
114. The Plaintiff alleges the delays in removing the coyotes created safety issues to the Plaintiff and his neighbors.
115. The Plaintiff pleads the failure to provide safety to the Plaintiff's neighborhood is contrary to the Charter of Rights and Police Service Agreement of Ontario which Defendant Collingwood had a duty of care to provide safety to the Plaintiff's neighborhood.
116. April 10, 2018 the Plaintiff emailed all Defendant Collingwood, Town Council members to provide insight into the defeated staff report 2018-10 on coexistence at the April 09, 2018 Corporate and Community Services Standing Committee meeting.
117. April 11, 2018 Town of Collingwood COO, Fareed Amin, communicated with the Plaintiff via email for the first time on the coyote concerns issue (cc all Town of Collingwood Council Members)
118. The Plaintiff alleges the April 11, 2018 email was sent by Defendant Collingwood COO Fareed Amin in bad faith to;
- a. to defend Defendant Collingwood and the deceptive process they were taking,

- b. to undermine the Plaintiff's role in informing Council members on the real coyote issues which Defendant Collingwood staff were not sharing and to discredit and defame the Plaintiff.
 - c. to engage with the Plaintiff only after a set back in the Town of Collingwood's predetermined coexistence policy stance to influence Council to hold the Defendant Collingwood 's staff coexistence position to date.
 - d. to attempt to suppress the Plaintiff's and Collingwood residents' victory at the Corporate and Community Services Standing Committee meeting.
119. The Plaintiff pleads the email of April 11, 2018 from Fareed Amin was an act of bad faith to discredit and defame the Plaintiff and interfere with his right under the Charter of Rights to criticize the governments lack of actions being taken by Defendant Collingwood regarding the coyote problem.
120. The Plaintiff alleges the Defendant Collingwood COO oversaw the development of the urban coyote coexistence policy, was wilfully blind to the coyote concerns over safety and the coyote attacks on pets in Collingwood and dismissed information that would support trapping coyotes and which challenged the urban coexistence strategy of Defendant Collingwood.
121. April 11, 2018 Sara Almas emailed the Plaintiff stating: "Good Morning Jeff, Please note that any trapping you undertake is at your own risk and your responsibility for associated costs. Regards, Sara."
122. April 12, 2018 the Plaintiff emailed Collingwood Town Council members with a "Resident Report" in a similar format that Staff presents policy recommendations.
- a. <https://www.coyoteconcernscollingwood.com/2018/04/12/failed-coexistence-policy-with-coyotes-in-collingwood/>
123. April 13, 2018 the Plaintiff emailed Collingwood Council members with an overview of the coyote concerns issue in Collingwood including recommendations to remove coyotes;
- a. "Council vote to reject Staff Report C#2018-10 as proposed.
 - b. Council support the motion from the Corporate & Community Standing Services Committee of 04-09-2018 to remove the threat and danger from coyotes in East Collingwood immediately and extend this to the other areas of Collingwood where urban coyotes have been sighted, as they are a threat and danger to residents and pets.
 - c. Council direct staff to develop an appropriate urban coyote education plan to;
 - i. Communicate to residents and visitors of Collingwood the danger of urban coyotes,
 - ii. Develop steps to take when you encounter a urban coyote in Collingwood,
 - iii. Urban Coyotes are dangerous,
 - iv. Do not approach or feed,
 - v. Protect your pet and children immediately,
 - vi. If they approach – attempt to scare them off by yelling, throw things, back off slowly – do not turn and run as they may chase you as prey.
 - vii. Call Collingwood # TBD for an immediate response,
 - d. Establish a Town of Collingwood Urban Coyote service that responds to urban coyote sightings and uses wildlife agent(s) to remove urban coyotes from Collingwood.
 - e. Develop an urban coyote long term population control plan to prevent coyotes from entering Collingwood and becoming habituated in Collingwood.
 - f. Work with neighboring communities to jointly address population control of coyotes and prevent coyotes from becoming habituated within our populated areas.

- g. Education program to protect wildlife of Collingwood by preventing the devastation of enjoyable wildlife in Collingwood from urban coyotes.”
124. April 14, 2018 the Plaintiff emailed Town Council members who attended the Corporate and Community Services Standing Committee meeting, which recommended the motion to deal with the threat of the coyotes, with concerns that the motion from the Committee meeting of April 06,2018 was altered by the Clerk’s office, changing the motion to “Assess the immediate threat and make recommendations by April 30th”
125. April 15, 2018 the Plaintiff emailed Town of Collingwood Town Council members to highlight damages being caused by Coyote Coexistence Staff Report C#2018-10.
126. April 16, 2018 the Plaintiff presented a Deputation to the Town of Collingwood.
- a. <https://www.coyoteconcernscollingwood.com/2018/04/17/deputation-town-of-collingwood-04-16-2018/>
 - b. <https://www.rogerstv.com/media?lid=237&rid=72&gid=292986> Time Stamp 58:46
127. April 16, 2018 Defendant Collingwood Council meeting was presented with Staff Report 2018-10. The following are key events and statements made in this meeting which are relevant to the coyote problem;
- c. <https://www.rogerstv.com/media?lid=237&rid=72&gid=292986> Time Stamp 1.15:50
 - d. Councillor Deb Doherty made a motion to receive Staff Report C2018-10.
 - e. Councillor Lloyd commented about the legitimate concerns of residents and he was glad to see the immediate threat would be addressed. Time Stamp 1.29:49
 - f. Councillor Deb Doherty attempted to deflect the coyote issue to feeding wildlife. Time Stamp 1.32:01
 - g. Councillor Jeffery Comments focussed on feeding wildlife crack down. Time Stamp 1.33:26
 - h. Deputy Major Saunderson asked a question; “are there examples of communities that have resorted the last resort in terms of lethal extermination and what was the net effect of that did it resolve the problem and address concerns” Time stamp 1.35:16
128. The Plaintiff alleges Defendant Collingwood Councillor Jeffery and Collingwood Council took actions at the April 16, 2018 meeting to interfere with the position to defeat Staff Report C2018-10 and take immediate action to remove coyotes as proposed by motion from April 09, 2018 Collingwood Corporate and Community Services Standing Committee.
129. The Plaintiff pleads the actions on April 16, 2018 by Councillor Jeffrey was a failure of duty of care and a willful act and an abuse of office to prevent the trapping of coyotes immediately in Collingwood East End. It was an act of willful blindness to ignore the facts of the threat and damage done by the urban coyotes in an attempt to deceive residents to focus on the feeding wildlife as the alleged coyote problem. Time Stamp 1.34:34.
130. The Plaintiff alleges Councillor Deb Doherty failed in her duty of care to understand the coyote issue in her role as a Councillor and acted with willful blindness in raising her concerns of the alleged feeding of coyotes by the by-law department. She was most concerned about the allegation that these coyotes were fed. She failed to acknowledge the threat and issues the coyotes posed in Collingwood residents and the Plaintiff.
131. The Plaintiff alleges Councillor Doherty was advised by the Plaintiff on a number of occasions via emails of the threat from coyotes, the attacks and killings by coyotes. Councillor

Doherty ignored this information and willfully took action to protect the coyotes in Collingwood while understanding they would and have attacked pets in Collingwood.

132. The Plaintiff alleges Councillor Jeffery failed to understand the coyote issue in her role as a Councillor and acted with willful blindness in raising her concerns on the alleged feeding by the by-law department.
133. The Plaintiff alleges Councillor Jeffery was advised by the Plaintiff on a number of occasions via emails of the threat from coyotes, the attacks and killings by coyotes. Councillor Jeffery ignored this information and willfully took action to protect the coyotes in Collingwood while understanding they would and have attacked pets in Collingwood.
134. The Plaintiff pleads the actions by Councillor Jeffery to avoid trapping coyotes in Collingwood where done in bad faith and resulted in cruelty of animals under Section 445.1 of the Criminal Code.
135. The Plaintiff alleges Coyote Watch Canada often raises the alleged issue of wildlife feeding in their “coyote investigations” for cities.
136. April 17, 2018 the Plaintiff emailed Councillor Lloyd stating; Councillor Lloyd, Thank you for your effort last night. I believe you understand the danger and threat from urban habituated coyotes, saw through the staff avoidance/delay of the issue and the Coyote Watch Canada charade – distract from the problem – blame residents – engage by-laws to solve the problem by fining a resident for feeding birds. This is the script that is played out in their information sessions and in the media – a formula they use to protect urban coyotes. Unfortunately, Council took the bate as staff had previously – follow the coexistence script while realizing pets will be killed but urban coyotes will be protected – coexistence should prevail.”
137. The Plaintiff alleges on April 19, 2018 two Collingwood by-law officers conducted an investigation on Georgian Manor Drive in the East end Collingwood.
138. The Plaintiff alleges on April 19, 2018 the two by-law officers approached a resident on Georgian Manor Dr and alleged that residents were feeding the coyotes on Georgian Manor Drive with bird feeders and leaving garbage out.
139. The Plaintiff alleges the Town of Collingwood roadside garbage pick on Georgian Manor Drive is on Mondays between 7 am to 4 pm which required garbage be left out for pickup by 7am.
140. The Plaintiff alleges birdfeeders have been in existence on Georgian Manor Drive for many years.
141. The Plaintiff pleads the Defendant Collingwood by-law staff had a duty of care and to act in good faith to investigate the coyote threat in East end Collingwood and were negligent in making false statements, misrepresentations and not taking action to remove the coyotes.
142. The actions by Defendant Collingwood by-law officers contributed to an unsafe neighborhood and restricted movement by the Plaintiff and neighbors.
143. The Plaintiff alleges Defendant Collingwood, Town By-law department and Coyote Watch Canada conducted false and misleading investigations of the coyote threat in East end Collingwood and acted with bad faith to dismiss the threat of coyotes and failed to act to remove coyotes;
 - a. with a bias approach to protecting coyotes,
 - b. dismissing resident concerns,

- c. attempting to deflect the issues and blame residents for feeding wildlife as the route of any coyote problems,
 - d. following a consistent theme with Coyote Watch Canada urban coyote investigations to influence coexistence policy with municipal policy makers.
144. The Plaintiff pleads the findings from the by-law department coyote investigations on Georgian Manor Drive were negligent misrepresentations used to dismiss the coyote threat in Collingwood.
145. The Plaintiff alleges the Collingwood By-law department was negligent by preparing a cut and paste policy for coyote coexistence from other cities with coexistence policy to implement in Collingwood.
- a. while failing to seriously consider trapping coyotes which is also done in other markets,
 - b. failing to communicate that many coyotes are hunted outside of Collingwood and in the area while the Town of Collingwood creates a unique protected area for urban coyotes.
146. The Plaintiff, alleges Town Clerk, Sara Almas managed the by-law department and much of the policy development oversight and strategy of the urban coyote coexistence policy for Collingwood.
147. The Plaintiff alleges the Town Clerk abused her office to develop coyote coexistence policy by using Defendant Collingwood resources to discredit opposition to her policy making.
148. April 27, 2018 the Plaintiff emailed Collingwood Town Council stating; "Town Council, Please find enclosed a link to my deputation to give you early access to this information for consideration in your upcoming policy decisions regarding coyote concerns in Collingwood. <https://www.coyoteconcernscollingwood.com/deputation-04-30-2018/> Happy to answer any questions. Thank you, Jeff Brown"
149. The Plaintiff alleges he did not receive any responses to his April 27, 2018 email.
150. April 29, 2018 in advance of the April 30, Council vote on coyote policy, the Plaintiff emailed Brian Saunderson, Deputy Mayor in response to a question he had with Staff which the Plaintiff was concerned that it may not have been answered.
- a. Email stated "Brian, I believe you were asking staff if there were other markets with successful trapping programs. Montreal is an example of a city that is addressing coyote concerns with trapping. <https://montreal.ctvnews.ca/mobile/montreal-to-trap-aggressive-coyotes-educate-public-about-wild-animals-1.3878785> Regards, Jeff Brown"
 - b. The Plaintiff alleges Montreal had over 380 reports of concerns about coyotes, at least 5 people bitten or scratched and 11 dog attacks by coyotes in the past year.
 - c. The Plaintiff alleges Staff Report C2018-13 failed to identify the Montreal trapping or any other trapping with the exception of Brampton which the by-law department labeled as a failure.
151. The Plaintiff alleges Deputy Mayor Brain Saunderson did not appear or vote on the coyote Staff Report C2018-13 April 30, 2018 after being made aware of information that contradicted representations made in staff report C2018-13.
152. Brian Saunderson later became mayor of Collingwood in the following Municipal election.
153. The Plaintiff alleges Defendant Collingwood was negligent in preparing Staff Report C2018-13 which avoided the question Deputy Mayor Saunderson raised regarding trapping in other cities.

154. The Plaintiff pleads statements made in C2018-13 by Defendant Collingwood were negligent misrepresentations to hide facts regarding the safety issues posed by coyotes and trapping programs to deal with the coyote problem.
155. The Plaintiff alleges other cities have trapped and or removed coyotes. The Defendant Collingwood by-law department knowingly ignored this information in preparing C2018-13 and the act of ignoring this information was an act of willful blindness to the facts and success of trapping to remove urban coyotes.
156. April 29, 2018 Collingwood by-law officers and Councillor Cam Ecclestone attended a meeting at the Collingwood Library featuring Coyote Watch Canada.
157. The Plaintiff alleges Defendant Collingwood engaged and contracted the services of Coyote Watch Canada to promote an urban coyote coexistence policy and Coyote Watch Canada acted as an agent of Defendant Collingwood.
158. On April 29, 2018 prior to public information session at the Collingwood Library the Plaintiff shared information on <https://www.facebook.com/groups/CoyoteConcernsCollingwood/> "Living with Coyotes - misinformation Session. For those that go to this misinformation session today; here are some interesting questions to ask;
- MNR - What is the population of coyotes in Ontario? How many are harvested in Ontario annually? Who is responsible for coyote population control in Ontario? What ways are the coyote population controlled in Ontario – what is the hunting and trapping season? Does the MNR track coyote damage in Ontario? Would the \$1.5 billion Ontario Wildlife Damage Compensation Program be necessary if coyote population was better controlled? What is the impact of the Algonquin Wolf and coyote hunting and trapping ban on the coyote population?
- Coyote Watch Canada
- How many "investigations" has your organization done? Given that your mandate is to protect coyotes; how many coyotes have been removed as a result of your "investigations"?
- What percentage of the time has your "investigations" blamed residents for feeding wildlife as the coyote problem?
- Have you ever investigated the many diseases coyotes carry and the impact on communities they roam at large in?
- Should coexistence be a term to refer to coyotes in the wild which is their natural habitat and not cities which is the habitat for people and domestic pets?(people coexist with lions in Africa but only in the wild and not in cities)
- How many pets do coyotes kill annually?
- How many livestock do coyotes kill annually?
- What enjoyable wildlife do urban coyotes kill and how many would a coyote consume each month they frequent a city?
- If hazing is intended to make coyotes feel not welcome and afraid of humans – why are they still in cities and is it not cruel to throw things and yell at animals and is this not a sign that we should not have coyotes in cities – how is this enjoyable wildlife?
- If hazing does not work over time – coyotes will become accustomed to hazing and therefore not fear people – does this not explain the increasing attacks by urban coyotes?
- The fact that you want people to keep coyote sightings confidential to protect coyotes - does this not put pets and people at risk - not knowing the danger exists in their area?

Your coexistence hazing campaign discriminates against the elderly, handicapped, disabled and young children. How can these groups protect themselves and their pets - standing tall, throwing things, walking backwards...?”

159. The Plaintiff alleges Councillor Cam Eccelstone talked with Lesley Sampson of Coyote Watch Canada at the April 29, 2018 meeting.
160. The Plaintiff alleges that Lesley Sampson of Coyote Watch Canada advised Councillor Cam Eccelstone that if coyotes were trapped in Collingwood that other coyotes would return within 2-3 days.
161. The Plaintiff alleges statements made by Lesley Sampson of Coyote Watch Canada as an agent of Defendant Collingwood were stated by Councillor Cam Eccelstone at April 30, 2018 Council meeting.
162. The Plaintiff alleges the Defendant Collingwood Councillor Cam Eccelstone relied on the statement from Lesley Sampson of Coyote Watch Canada to change his position and vote in favour of staff report C2018-13.
163. The Plaintiff pleads the statements made by Lesley Sampson of Coyote Watch Canada is a negligent misrepresentation and stated in bad faith to prevent trapping in Collingwood and with the knowledge that this could cause unnecessary pain, suffering or injury to pets in Collingwood.
164. The Plaintiff alleges Defendant Collingwood acted in bad faith and conspired to change the views and voting position on the coyote problem of Councillor Cam Eccelstone.
165. The plaintiff asserts that the Defendants are responsible for their conduct and their agent Coyote Watch Canada in attending the April 29, 2018 public meeting at the Collingwood Public library in a manner that was deliberately intended to violate the fundamental rights of the Plaintiff.
166. Defendant Collingwood by-law department staff and agent Coyote Watch Canada took action to target and intimidate and defame the Plaintiff at the April 29, 2018 public meeting at the Collingwood Library. The full particulars are detailed in Section CLAIM DEFENDANT COLLINGWOOD INTIMIDATION.
167. April 30, 2018 the Plaintiff presented a deputation before the Town of Collingwood.
 - a. Copy of the deputation; <https://www.coyoteconcernscollingwood.com/deputation-04-30-2018/>
 - b. Copy of the deputation speech; <https://www.coyoteconcernscollingwood.com/deputation-speech-04-30-2018/>
168. Staff Report C2018-13 Coyote Coexistence policy was issued by Sara Almas, Town Clerk of the Town of Collingwood for coexistence with urban coyotes in Collingwood. Key events and statement as follows:
 - a. <https://collingwood.civicweb.net/document/12669/C2018-13%20Coyote%20Report%20FINAL%20w%20attachments.pdf?handle=5894F16C85554BF2BB2ED815CACF1498>
 - b. Staff report C2018-13 determined the “current situation in the east end is not deemed an immediate threat of human safety that would support a trap and kill program. Staff do not want to make the situation worse in the area and increase the population or cause risk or injury to people or pets.”
 - c. The investigations were done with the assistance of Coyote Watch Canada.

- d. The Plaintiff alleges several of the trappers interviewed did not trap coyotes. Several of the trappers did business with the Town of Collingwood.
 - e. <https://www.rogerstv.com/show?lid=12&rid=72&sid=5786&gid=293397> Time Stamp 2.07:14 Adam Harrod By-Law Officer presented a threat assessment in the East end of Collingwood. Select comments are as follows; It was indicted that the city of Brampton was unsuccessful in trapping a coyote, that trapping is difficult, removing coyotes isn't solving the problem, new coyotes will move into the territory, in fact it may increase their numbers, the mere presence of coyotes is not reason for alarm, nor is the injury or death of pets as they may be viewed as prey for the coyotes, the Town is unable to protect pets from all wildlife risk, including threats of coyotes, support trapping only under circumstances such as an aggressive coyote that has bitten a human.
 - f. Councillor Cam Eccelstone asked to confirm if coyotes were trapped that according to Lesley Sampson of Coyote Watch Canada coyotes would come back into the area within 2-3 days.
 - g. Question from Councillor Lloyd; "if a pair of coyotes say in the Georgian Manor area breed in their den 2- 7 coyotes, where do they train their coyotes , habituated coyotes in the Georgian Manor Drive area had pups where would they train their pups to hunt - therefore they are trained to eat and hunt in our Town – Adam Harrod answered "Yes that is correct".
 - h. Comment by Councillor Madigan - you can educate the public but you can't educate a wild animal. Councillor Madigan believed it is the MNRF job to deal with coyotes - he did believe it is not an elected official of the Town job because he has no education or background on this.
 - i. Councillor Lloyd comment " When you have a pair mating in an area – they are having 3- 4 to 7 pups annually, they are training their pups to hunt in an urban area which would only follow that those pups become less afraid of people and less afraid of other animals in the area like dogs and cats and that the food supply diminishes over a number of years, so that the pack, that the size of it and it's propagation every year becomes a problem and it is my opinion that this pack in the Georgian Manor area is currently a problem – I can not support the staff report unless it also includes an immediate solution to that immediate threat in that area."
169. April 30, 2018 Defendant Collingwood Council passed staff report C2018-13.
- a. Councillor Lloyd was the only Councillor that did not agree with the staff report C2018-13.
170. Plaintiff alleges although Councillor Madigan stated it was not the job of an elected official to deal with this problem.
171. Defendant Councillor Madigan voted to support the Defendant Collingwood staff report C2018-13 to address the coyote problem.
172. The Plaintiff alleges Councillor Madigan failed in his role as a Councillor and his duty of care to understand the coyote problem and the implications of his vote to support C2018-13.
173. The Plaintiff alleges staff report C2018-13 was misleading and deceptive to pass a coyote coexistence policy with statements and policy that would not be administered.
174. The Plaintiff, alleges Defendant, Collingwood was negligent in refusing to trap and remove coyotes from Collingwood East end.

175. The Plaintiff alleges Town Council members vote with a presumption that a vote by Town Council members is made in good faith and for a proper motive.
176. The Plaintiff alleges Council members were aware that dogs had been attacked and killed in Collingwood by urban coyotes and accepted this as a consequence of their voting and approving of Staff Report C2018-13 policy.
177. The Plaintiff alleges Defendant Collingwood acted with malice and/or recklessly abused the public office.
178. The Plaintiff alleges the Town Council the councillors voted en bloc at the instigation of a few councillors and by direction of Mayor Cooper who believed coexistence was the way to go.
179. The Plaintiff alleges abuse of public office by Defendant Collingwood.
180. The Plaintiff alleges the Defendant Collingwood Town Council passed C2018-13 to protect coyotes while being prepared to inflict pain and suffering on residents who have and would have their pets injured or killed or their children or grandchildren at risk from packs of wild coyotes roaming at large in Collingwood.
181. The Plaintiff alleges Defendant Collingwood acted to not trap coyotes in East end Collingwood while knowing the safety risks to the Plaintiff, the mental distress this was causing the Plaintiff and the loss of enjoyment of life by the Plaintiff, his neighbors and informed residents in Collingwood.
182. The Plaintiff alleges the actions by Defendant Collingwood created a safety issue for the Plaintiff's grandchild which causes tremendous stress to the Plaintiff.
183. The Plaintiff alleges Defendant Collingwood expects the Plaintiff and residents to trap coyotes in Collingwood at their own personal cost and risk.
184. The Plaintiff pleads Defendant Collingwood contravened the Town of Collingwood Animal Control By-law 2012-016 by harbouring prohibited canids species (coyotes) which are not permitted in Collingwood. (<http://www.collingwood.ca/node/6200>)
185. The Plaintiff alleges Defendant Collingwood was advised by the Plaintiff on a number of occasions of the danger, threat and attacks by coyotes.

PART VII: BASIS OF CLAIM

CLAIMS ARISING FROM COLLINGWOOD OPP DETACHMENT

186. The Plaintiff pleads that The conduct of Police officers in Ontario is monitored and regulated by the Police Services Act, R.S.O. 1990 Section 1 of the PSA provides:
 - a. Police services shall be provided throughout Ontario in accordance with the following principles:
 - i. 1. The need to ensure the safety and security of all persons and property in Ontario.

- ii. 2. The importance of safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the [Human Rights Code](#).
- iii. 3. The need for co-operation between the providers of police services and the communities they serve.

187. The Plaintiff pleads pets are property under the current laws of Ontario and have the right to safety by police protection.
188. The Plaintiff alleges Collingwood OPP Detachment is under service contract with the Defendant Collingwood and under management of the Defendant Police Services Board.
189. Plaintiff, alleges the Collingwood OPP have attended service calls regarding dog barking in Collingwood under authority of Defendant Collingwood and the Defendant Police Service Board.
190. The Plaintiff, alleges the Collingwood OPP has used drones to observe bicycle riders and has drones available to do surveillance of areas for threat assessment under authority of Defendant Collingwood and the Collingwood Police Service Board.
191. The Plaintiff alleges the Collingwood OPP have refused coyote threat service calls under authority of Defendant Collingwood and the Defendant Police Service Board.
192. October 20,2015 OPP email from Jennett Mays to Sara Almas stated “On October 19, 2015, at approximately 9:30 pm., members of the Collingwood and Towns of Blue Mountain Detachment of the Ontario Provincial Police (OPP) responded to a report that a coyote was on Seventh Street in the Town of Collingwood that was aggressive and possibly rabid. This animal was located on Seventh Street between Walnut Street and Oak. Due to the danger this animal posed to both people and other animals and for the safety of the community Police had to put down the animal.”
193. On or around February 16, 2018 at approximately 7:00 am the Plaintiff called the Collingwood OPP regarding a threat of coyotes at his property in East end Collingwood.
194. The Collingwood OPP refused to appear at the Plaintiffs Collingwood home on or around February 16, 2018 to address a coyote threat.
195. February 16, 2018 the Plaintiff talked by phone with Terry Ward of Collingwood OPP regarding the OPP refusal to attend his property and the threat from coyotes at his property.
- a. The Plaintiff alleges Terry Ward recommended that a bounty system was used in other areas which may work in Collingwood.
 - b. The Plaintiff alleges Terry Ward recommended a hunter he had heard of in other communities that used dogs successful in hunting large numbers of coyotes.
196. The Plaintiff, began written communications on February 19, 2018 with Terry Ward of the Collingwood OPP believing there was interest to address the coyote problem in Collingwood and that the Collingwood OPP would work with him in good faith to address safety concerns in Collingwood relating to coyotes.
197. The Plaintiff, alleges he provided the OPP with a number of emails on trapping coyotes, information to indicate attacks and the threat and danger associated with urban coyotes with no reply or engagement by the Collingwood OPP.

198. The Plaintiff alleges that all email to Terry Ward were unanswered. Terry Ward refused to engage with the Plaintiff on safety issues pertaining to urban coyotes in Collingwood.
199. The Plaintiff alleges Terry Ward and Collingwood OPP new the Plaintiff was representing interests of Collingwood residents.
200. On February 23, 2018 The Plaintiff began the complaint process and to elevate the coyote concerns to the Collingwood OPP Inspector Detachment Commander.
201. On February 23, 2018 via email OPP.MunicipalPolicing@opp.ca the Plaintiff notified the OPP of coyote threats in Collingwood. Stating; "We are experiencing coyote threats in Collingwood Ontario. The police are not able to respond to the threat for various reasons. There are by-laws in the Town of Collingwood to engage the police in approving the removal of animals which cause a threat or nuisance in Collingwood. The are MNR guidelines in place to allow for the trapping of coyotes. There are laws in place to hunt coyotes. There has been a recent attack on a dog, there are reported deaths and attacks by coyotes in other communities in Canada. Could we please assign the appropriate resources to remove this threat in our communities and other communities in Ontario. I have provided recommendations to Collingwood OPP to deal with this problem in the short term and long term based on input from licensed trappers in the area."
202. On February 26, 2018 the Plaintiff sent an email to Mary Shannon of the OPP requesting action be taken to remove coyotes with information disputing positions that coyotes are not an immediate threat, details on how the Town of Collingwood is contravening by-laws by harboring coyotes with recommendations on actions which can be taken and trappers that can be used.
203. February 28, 2018 email from Mary Shannon OPP to the Plaintiff stating; "Mr. Brown: The OPP will respond to emergency calls about problem coyotes if there is an immediate threat to public safety. The OPP will only destroy the problem coyote if there is no other safe remedy, using recommended procedures. Wildlife management is the responsibility of the Ministry of Natural Resources and Forestry. (MNRF) The MNRF is responsible for promoting safety and awareness about human-coyote conflicts and prevention methods including the provision of educational materials and advice available on a comprehensive website, and by other means."
204. March 02, 2018 the Plaintiff received a response from Natalie Vasilos of the Municipal Policy Bureau OPP indicating that the Collingwood OPP and MNRF had responded to his inquiry.
205. March 02, 2018 the Plaintiff responded to Natalie Vasilos by stating "Thank you for responding. The responses by the parties to date is unacceptable. I would like to understand the oversight body of the OPP (internal and external to the OPP) and the complaint process/investigation for a failure to act by the OPP. The refusal to act is creating a risk in our community. I have submitted a FOI request for the OPP municipal service agreement with the Town of Collingwood."
206. March 02, 2018 Rob Chapman (A Staff Sergeant, Classification & Analysis, Professional Standards Bureau) was forwarded the Plaintiff March 02, 2018 email to Natalia Vasilos. The Plaintiff was provided with the contact information for the Office of the Independent Police Review Director (OIPRD)
207. On April 05, 2018 the Plaintiff cc Mary Shannon on an email highlighting the fact that coyote attacks in Ontario were increasing.
208. The Plaintiff alleges he provided extensive information via emails and website links on; the threat, danger, reported coyote attacks, concerns of residents of safety on the streets and

parks of Collingwood and names and contacts of trappers to assist the Collingwood OPP in addressing the coyote problem in Collingwood.

209. The Plaintiff alleges this communication with the Collingwood OPP was dismissed.

PART VIII: BASIS OF CLAIM

CLAIMS ARISING FROM DEFENDANT POLICE SERVICE BOARD

210. The Defendant Police Service Board responsibilities are established by the Police Services Act and are generally described as follows:

- a. To determine objectives and priorities for police services, after consultation with the Detachment Commander;
- b. To establish local policies for police services, after consultation with the Detachment Commander;
- c. To monitor the performance of the Detachment Commander;
- d. To receive reports from the Detachment Commander on any secondary activities by police officers in the detachment;
- e. To review the Detachment Commander's administration of the complaints system established by the Police Services Act for dealing with complaints made by any member of the public about the policies of or the services provided by the police force.

211. The Plaintiff pleads that Collingwood Police Service Board was an agent of Defendant Collingwood. The Plaintiff argues that Collingwood Police Service Board, in its capacity as a Municipal Services Board, remains an agent of the City, pursuant to s. 197 of the Municipal Act 2001 S.O. 2001. It is further submitted that s. 448(2) of the Municipal Act states that a municipality is not relieved from liability in respect to a tort committed by an agent of the municipality. Finally, the Plaintiff submits that it is open for a plaintiff to sue both a municipality and the statutory agents of the municipality for the agent's negligence.

212. The Plaintiff pleads that Police Services Act S 46.3(1) is relied on, which states in its relevant part:

- a. For the purposes of this Act...any act or thing done or omitted to be done in the course of his or her employment by an officer, official, employee or agent of a corporation [or] unincorporated association...shall be deemed to be an act or thing done or omitted to be done by the corporation [or] unincorporated association...".

213. The Collingwood Police Service Board was established by Defendant Collingwood.

214. August 14, 2018 the Plaintiff filed a complaint with the Collingwood Police Services Board attention Chairperson Mr. Dunc Hawkins with a request to refer this OPP complaint to an investigation outside of Collingwood jurisdiction as; Mayor Cooper who sat on the Board and was under a lengthy police investigation, the Town Clerk also sat on the Board and was an integral part of the complaint and OPP Inspector Mary Shannon who was on the Board was named in the complaint.

215. October 01, 2018 a letter was issued and sent to the Plaintiff by Dunc Hawkins of the Collingwood Police Service Board File Number 6146018-0009 ORRPRD File Number: 180011172 stating;
- a. "Decision of the board. In conducting a review under this section, the Board as follows: THAT the Collingwood Police Services Board, having reviewed the correspondence and understanding their obligations of Section 10 Police Service Board, herein directs that no further action be taken in the regard to this matter as the Board is satisfied with the decisions and actions of the Detachment Commander and applicable Officer(s); AND HEREIN direct the appropriate notification be provided."
216. The Plaintiff, alleges the Defendant Collingwood failed to independently review the intimidation complaint of the Plaintiff by the Collingwood OPP.
217. The Plaintiff, alleges the Defendant Collingwood failed to refer the alleged intimidation of the Plaintiff to a review outside of Collingwood.
218. The Plaintiff alleges the Defendant Police Service Board were aware of coyote concerns in Collingwood and failed to take action to address the safety issues from the attacks by coyotes and the coyotes continuing to roam at large in Collingwood.
219. The Plaintiff alleges Terry Ward of the Collingwood OPP updated Defendant Police Service Board on the coyote problem in Collingwood.
220. The Plaintiff, further alleges that the particulars of the Defendant Police Service Board negligence include;
- a. It failed to provide police oversight and investigation into the matter of alleged police intimidation of the Plaintiff.
 - b. It allowed intimidation by OPP to go unchecked and without consequences.
 - c. by permitting an act of intimidation it restricted freedom of speech with the use of intimidation on the Plaintiff.
 - d. it used police services resources to intimidate the Plaintiff.
 - e. It failed to provide safety under the Police Services Act by permitting coyotes to roam at large in Collingwood.
 - f. It failed to enforce the Police Services Act of Ontario.
 - g. Cruelty to animals.
221. The Plaintiff pleads that "police officers under the command, supervision, and jurisdiction of the Defendant Police Service Board "committed unlawful and unjustifiable" breaches of *Charter* rights and "unlawful acts or torts".
222. The Plaintiff, alleges the Defendant Police Service Board has failed to ensure safety of all persons and property in Collingwood, specifically the Plaintiff.
223. The Plaintiff alleges the Defendant Police Service Board violated the Plaintiff's Charter rights Section 7 to safety by allowing urban coyotes to roam at large in his neighborhood and throughout Collingwood
224. The Plaintiff, alleges the Collingwood OPP failed to serve in the interest of public safety which includes pets in Collingwood.
225. The Plaintiff, alleges the Defendant Police Service Board has failed to provide the Collingwood OPP detachment with tranquilizer guns nor training to address the coyote problem in Collingwood.

226. The Plaintiff, alleges the Defendant Police Service Board failed to implement effective and appropriate coyote removal practices leading to unsafe areas in Collingwood.
227. The Plaintiff alleges the failure to act on the safety of pets in Collingwood has caused unnecessary pain and suffering to pets in Collingwood.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD INTIMIDATION

228. The Plaintiff alleges Defendant Collingwood directed Collingwood OPP to intimidate the Plaintiff.
229. On April 29, 2018 the Plaintiff posted on Facebook a number of questions and concerns that should be addressed at the Defendant Collingwood sponsored Coyote Watch Canada public information session on living with coyotes – prior to attending the meeting.
230. On April 29, 2018 the Plaintiff attended a public information session at the Collingwood Library hosted by Defendant Collingwood on living with coyotes and coexisting with urban coyotes with a presentation by Lesley Sampson of Coyote Watch Canada.
- a. The Plaintiff arrived approximately 15 minutes before the meeting began.
 - b. The Plaintiff entered the room and picked up information available to the participants of the meeting without incident.
 - c. The Plaintiff did not distribute any information or cause any incident at the meeting.
 - d. The Plaintiff took a seat several isles from the front and close to the exit doors.
 - e. The Plaintiff began a quiet conversation with a lady sitting next to him without incident.
 - f. Prior to the start of the information session the Plaintiff was identified by the Collingwood By-law department and Coyote Watch Canada representatives and approached by Collingwood OPP Officer Craig Houghton.
 - g. Officer Houghton asked the Plaintiff if he was Jeff Brown and that he was with the Collingwood OPP.
 - h. The Plaintiff asked Officer Houghton if he was here to intimidate him.
 - i. The Plaintiff was asked to leave the room with the OPP officer to a private area.
 - j. The OPP officer incorrectly and inappropriately labeled the Plaintiff as a protester.
 - k. The OPP officer took actions to effectively prevent the Plaintiff from participating in this information session and voicing concerns about the urban coyote problem in Collingwood.
 - l. The Plaintiff was shocked and shaken by this event and concerned what the OPP would be instructed to do next.
 - m. The Plaintiff re-entered the room to the safety of a public forum and reframed from asking questions or challenging the statements made by Coyote Watch Canada.
231. The Plaintiff alleges the action by Collingwood OPP Police officer Houghton amounted to bullying with the possibility of a gun, discouragement to voice his opinion on the issues of living with coyotes in his neighborhood, made him afraid of the police for what they may do to him to further intimidate him to stop taking his position to have coyotes removed from Collingwood.

232. The Plaintiff, alleges intimidation on April 29, 2018 at the Collingwood Public Library.
233. On April 29, 2018 at 7:11 pm a resident posted on the Collingwood Concerns Facebook page stating; “My sight line was from the back half of the room in todays meeting. I observed Officer Craig Houghton in plain clothes approach Jeff Brown prior to the meeting even starting today, and asked Jeff to step outside. Just prior to this Jeff had quietly slipped into the meeting room, took a seat towards the front of the room, and was quitely engaged in a hushed conversation with the person seated next to him. Jeff was most definitely a target! The two By-Law Officers that creeped onto my property last week without the courtesy of knocking on my door, or introducing themselves, along with the lady running this meeting obviously wanted Craig Houghton to intimidate Jeff & give warning by signaling him out with their approach. I am appauled -- yet again with how town of Collingwood employees handle themselves, along with OPP Officer Craig Houghton in a public forum. How embarassing for Jeff...”
234. The Plaintiff, alleges the Collingwood OPP had communications, meetings and worked with coyote coexistence advocates and Defendant Collingwood but failed to engage with the Plaintiff.
235. The Plaintiff, alleges the contact by the Collingwood OPP on April 29, 2018 was not to engage with the Plaintiff in the coyote problem but rather in bad faith to ensure the message from Coyote Watch Canada to support Defendant Collingwood coexistence policy was not to be challenged in public and to hide the truth and deception surrounding the coyote problem in Collingwood.
236. April 29, 2018 the Plaintiff emailed Inspector Mary Shannon of the Collingwood OPP and cc Terry Ward of the Collingwood OPP to report the intimidation by Officer Houghton.
237. April 30, 2018 Mary Shannon responded to the Plaintiff stating “ Mr. Brown: I am sorry that you felt intimidated by Cst. Houghton, that was certainly not his intent. Cst. Houghton is a member of our Provincial Liaison Team and was in attendance to offer assistance in establishing and maintaining open and transparent lines of communication with all stakeholders. The Office of the Independent Police Review Director (OIPRD) receives, manages and oversees all complaints about the police in Ontario. As an independent civilian oversight agency, the OIPRD ensures all public complaints against the police are dealt with in a manner that is transparent, effective and fair...”
238. May 31, 2018 the Plaintiff filed a complaint via email to OIPRDComplaints@ontario.ca with The Office of the Independent Police Director with complaints against Inspector Mary Shannon (Inspector Detachment Commander Collingwood), Terry Ward (S/Sgt – Operations Manager Collingwood), Craig Houghton (Provincial Liaison Team Collingwood Detachment) and Rob Chapman (A Staff Sergeant, Classification & Analysis, Professional Standards Bureau)
239. June 01, 2018 the Office of the Independent Police Review Director (OIPRD) received the Plaintiff’s complaint – Public Complaint: Ontario Provincial Police OIPRD Complaint Number 180011172.
240. June 20, 2018 The Office of the Independent Police Review advised the Plaintiff that his complaint #180011172 was assigned to the Ontario Provincial Police.
- a. In error the complaint referred to a February 16, 2018 interaction with Inspector Mary Shannon.

241. June 21, 2018 the Office of the Independent Police Review Director notified the Plaintiff that the complaint was originally sent as a conduct complaint in error. The complaint has been classified as a service complaint and the Chief of Police would respond.
242. On July 17, 2018 the Plaintiff filed a second complaint to ensure it was understood as an intimidation claim. File E-201807170612345453.
243. July 23, 2018 Inspector Mary Shannon responded to the Plaintiff regarding the complaint he filed. File 6146018-0009 OIPRD File Number 180011172
244. The Plaintiff alleges the letter dated July 23, 2018 from Mary Shannon is a misrepresentation of the facts.
245. August 20, 2018 The Office of the Independent Police Review notified the Plaintiff that his alleged intimidation complaint against Constable Craig Houghton was dismissed. "The Director has decided that it is not in public interest to investigate your complaint."
a. Stated the complaint was addressed with the June 21, 2018 complaint.
246. August 22, 2018 the Plaintiff responded to the August 20, 2018 response from OIPRD; "In your haste to close this case and stop any meaningful proceeding in regards to police intimidation from the Collingwood OPP; you have failed to recognize that intimidation is a criminal offence under the criminal code and not a police service issue and incorrectly categorized to dismiss this issue. It is a shame that tax payers money is not used wisely to stop police intimidation vs spend for this OIPRD charade of protecting it and therefore encouraging and validating intimidation."
247. The Plaintiff alleges the intimidation by Defendant Collingwood was carried out by the use of the resources of the Collingwood OPP.
248. The Plaintiff, alleges the intimidation by the Collingwood OPP was requested by Defendant Collingwood;
a. To shut down the communications by the Plaintiff at this meeting and interfere with his right to comments and his opinions to tell the truth about the coyote problem in Collingwood,
b. To send a clear message that the Defendant Collingwood would not tolerate any further resistance on this matter by the Plaintiff or communications about this matter in an open public forum.
c. To deliver the message in person and in private without a Plaintiff witness.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD NEGLIGENCE

249. The Plaintiff states that his injuries were caused entirely and solely by the negligence of the Defendants, some particulars of which are as follows:
a. in failing to exercise a duty of care towards the Plaintiff;
b. in failing to remove coyotes as to ensure the safety of the Plaintiff in using the streets in his neighborhood, parks and trails of Collingwood;

- c. it failed to provide police oversight on the matter of alleged police intimidation of the Plaintiff;
- d. it restricted freedom of speech with the use of intimidation on the Plaintiff;
- e. it discriminated against elderly and handicapped in Collingwood;
- f. it took action to permit and cause cruelty to animals;
- g. it used police services resources to intimidate the Plaintiff;
- h. it failed to implement an independent Police Service Board to review and properly oversee police actions regarding alleged police intimidation of the Plaintiff;
- i. it failed to enforce bylaws by allowing coyotes, by harboring a prohibited animal to roam at large on city streets, public parks, public trails and onto private properties in Collingwood;
- j. in failing to warn the Plaintiff of the danger of coyotes in his area;
- k. it failed to appropriately warn of the danger of coyotes in Collingwood by using signs stating; “coyotes may be present”;
- l. it failed to contract trappers to address the coyote problem in Collingwood;
- m. it failed to consider public input and concerns in a meaningful and effective way;
- n. it negligently followed the Ministry of Natural Resources lead in pushing coexistence policies to protect coyotes while compromising public safety in urban areas;
- o. it negligently relied on the Ministry Natural Resources and Forestry to address safety of people and pets in Collingwood;
- p. it failed to draft policy to address the immediate danger of coyotes in Collingwood by preparing and approving into policy Staff Report C2018-13;
- q. it negligently fostered an unsafe neighborhood in Collingwood;
- r. it failed to ensure effective oversight of policy development by Staff;
- s. it failed to oversee staff and respond to deceptive policy development;
- t. it attempted to make it difficult for residents to address the coyote issue;
- u. it failed to receive and implement appropriate steps to address the coyote issues in Collingwood;
- v. it engaged and contracted Coyote Watch Canada to make deceptive statements, undertake false investigations and deceive the public with alleged wildlife feeding as a cause for the coyote problem in Collingwood and East end Collingwood;
- w. it negligently acted in false and deceptive coyote investigations to mislead policy makers to implement coyote coexistence policies;

- x. it unlawfully invaded the Plaintiffs right to privacy by providing information to Coyote Watch Canada representative regarding prior dealings with the Town of Collingwood over a wasp nest issue in the Town of Collingwood ditch at his residential property to try and discredit and defame the Plaintiff;
- y. such other particulars of negligence as may be disclosed on Examinations for Discovery and Trial herein.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD WILLFUL BLINDNESS

250. The Plaintiff alleges Defendant Collingwood acted with willful blindness some, particulars of which are as follows:
- a. to the facts and truth needed on the opposition to staff report C2018-13.
 - b. to the facts on the risk, threat and danger from urban coyotes presented by the Plaintiff to Defendant Collingwood through various emails and depositions given April 30, 2018, April 16, 2018, April 09, 2018 and the resident report submitted April 12, 2018.
 - c. to the objections raised by Councillor Lloyd at the April 09, 2018 Collingwood Corporate and Community Services Standing Committee.
 - d. to the resident depositions at the April 09, 2018 Collingwood Corporate and Community Services Standing Committee.
 - e. in ignoring successful trapping of coyotes in other cities in North America.
 - f. to the sighting reports of coyotes in Collingwood.
 - g. to the complaints of coyotes roaming at large in Collingwood.
 - h. to the pet attacks and killings in Collingwood and the fact that they would continue under C2018-13 without action to remove the coyotes.
 - i. to the fact that attacks and killing of pets in Collingwood is cruel.
 - j. that residents in Collingwood loved their pets and feared for the life of their pets as many did for their children.
 - k. to the fact the MNR was of no help in removing coyotes from Collingwood.
 - l. that the Collingwood OPP refused to engage in the coyote problem.
 - m. that Coyote Watch Canada was used to dismiss the coyote problem and create a wildlife feeding charade with the by-law department.
 - n. failing to sponsor an alternative and conflicting voice to Coyote Watch Canada information session using Town of Collingwood resources and facilities.
 - o. failing to engage with the Plaintiff in a meaningful way.
 - p. from the comments on the petition <https://www.change.org/p/town-of-collingwood-clerk-salmas-collingwood-ca-coyote-concerns-in-collingwood-ontario-canada>
 - q. to the fact the by-law office did not deal with wildlife coyotes.
 - r. to the fact that animal control did not deal with wildlife coyotes.

- s. to the fact that coyotes are legally trapped and hunted outside of Collingwood.
- t. to the fact that coyotes can be legally trapped in Collingwood.
- u. to avoiding an accurate answer from Deputy Mayor Saunderson's question on trapping in other communities.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD CRUELTY TO ANIMALS

251. The Plaintiff relies on Criminal Code Section 445.(1)
- a. Causing unnecessary suffering 445.1 (1) Every one commits an offence who
 - (a) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird;
252. The Plaintiff pleads the acts by Defendant Collingwood to allow wild unpredictable dangerous urban coyotes to roam at large in the Plaintiff's neighborhood of East end Collingwood and throughout Collingwood knowingly and wilfully caused and permitted to be caused unnecessary pain, suffering and injury to pets.
253. The Plaintiff pleads the statements made by Defendant Collingwood to dismiss the danger of urban coyotes which have attacked pets is cause to expose pets to unnecessary pain, suffering or injury.
254. The Plaintiff alleges pets were attacked and injured and/or killed in Collingwood by coyotes with specifics in Paragraph 21.
255. The Plaintiff pleads the acts by Defendant Collingwood to refuse to remove coyotes has caused pain and suffering to the pets which were attacked after this warning and the request to take action to remove coyotes was requested of Defendant Collingwood.
256. The Plaintiff pleads statements made by Defendant Collingwood , Municipal Law Enforcement, Adam Harrod on April 09, 2018 Collingwood Corporate and Community Services Standing Committee are a wilful cause and wilfully permit to be caused unnecessary pain, suffering or injury to pets in Collingwood.
257. The Plaintiff alleges Defendant Collingwood, Municipal Law Enforcement Adam Harrod accepts the fact that coyotes will attack pets in Collingwood and proposed policy and took actions to allow this to happen.
258. The Plaintiff pleads Defendant Collingwood, Municipal Law Enforcement Adam Harrod was negligent to wilfully cause and wilfully permit unnecessary pain, suffering or injury to pets in Collingwood.
259. The Plaintiff alleges a pet was attacked by a coyote in the East end of Collingwood on or around March 12, 2019 by a coyote.
260. The Plaintiff pleads the refusal to remove coyotes from East end of Collingwood and the negligent coyote threat investigation by Defendant Collingwood and Coyote Watch Canada caused unnecessary pain, suffering and injury to a pet.

261. The Plaintiff pleads Defendant Collingwood, Adam Harrod, Municipal Law Enforcement Officer and Sara Almas, Town Clerk developed staff report C2018-13 which wilfully causes and permits urban coyotes to roam at large in Collingwood and attack pets for food and to protect the coyotes urban territory.
262. The Plaintiff pleads Defendant Collingwood, Council members who voted to pass staff report C2018-13 willfully caused and wilfully permitted unnecessary pain, suffering or injury to pets in Collingwood.
263. The Plaintiff pleads that actions by Defendant Collingwood to cause harm to pets was a malicious action.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD NUISANCE

264. The Plaintiff states the safety and well being of the Plaintiff largely depends on the municipality's role in creating by-laws and duties designed to protect him.
265. The Plaintiff pleads an act of allowing urban coyotes to roam at large in the Plaintiff's neighborhood constituted a nuisance for which the measure of responsibility is the same as for negligence and there was a duty of care to the Plaintiff and there was negligence creating a nuisance requiring the Plaintiff to restrict his activities in his neighbourhood and put him at risk.
266. The Plaintiff alleges the actions of the Defendants has caused a nuisance to the Plaintiff and within his residential area in East end Collingwood and other neighborhoods of Collingwood. Coyotes roaming at large restrict movement of the Plaintiff and neighbours, with some particulars as follows:
- a. having the daily threat and danger of coyotes at his property.
 - b. having to carry coyote hazing and protection while walking in his neighborhood or on his property.
 - c. having to yell at coyotes from his property,
 - d. being awoken or disturbed by coyote howling.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD RIGHT TO SAFETY UNDER CHARTER OF RIGHTS

267. The Plaintiff relies on s. 24(1) of the Charter.
268. The Plaintiff relies on Charter of Rights Section 7, "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."
269. Defendant Collingwood staff and Councillors were aware the Plaintiff was requesting safety in his neighborhood and throughout Collingwood and they had a statutory duty to act.

270. The Plaintiff alleges the excessive delay in removing the coyotes and refusing to remove coyotes while being aware of the safety issues was an unlawful act which did not comply with the statutory obligation of safety.
271. The Plaintiff alleges the Defendant Collingwood staff and Councillors knew harm could result and it did.
272. The Plaintiff appeared before Defendant Collingwood Council on April 16, 2018 to present a deposition stating, “to voice our concerns and protect our rights to safety.”
- a. <https://www.rogerstv.com/media?lid=237&rid=72&gid=292986>
Time Stamp 58.59
273. The Plaintiff advised Defendant Collingwood on numerous times via emails as outlined in pleadings, meeting, and deposition such as April 30, 2018 Time Stamp 1.28:48, April 16, 2018 Time stamp 58.59.
274. The Plaintiff alleges that lack of safety is a substantial harm in his life and that the interference with his safety is of significant damage to him.
275. The Defendant Collingwood staff Sara Almas was Clerk, Town of Collingwood and Adam Harrod was By-law Officer Town of Collingwood and are public officials and Collingwood Councillors were elected public officials of the Town of Collingwood.
276. The Plaintiff alleges Defendant Collingwood acted in bad faith to protect coyotes at the risk of safety to the Plaintiff, neighbors in East Collingwood and pets in his area and throughout Collingwood.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD RIGHT TO FREEDOM OF SPEECH CHARTER OF RIGHTS

277. The Plaintiff relies on s. 24(1) of the Charter.
278. The Plaintiff relies on the Charter of Rights Section 2(b).
279. The Plaintiff relies on the Charter of Rights to have the right to opinion and to criticize governments actions taken which compromise his safety.
280. The Plaintiff alleges Mayor Cooper, Mayor of Defendant Collingwood, interfered with the Plaintiff’s rights to criticize staff for the deceptive actions they were taking which compromised his safety and the safety of his neighborhood and throughout Collingwood.
281. The Plaintiff alleges Mayor Cooper threatened to terminate the Plaintiff’s rights to appear before Council if he expressed his opinions which criticized staff.
282. The Plaintiff alleges on April 16, 2018 Councillor Jeffrey interfered with the Plaintiff’s right to express his opinion and criticism of the Defendant Collingwood actions related to his concerns over his safety and the safety of his neighborhood and Collingwood.
<https://www.rogerstv.com/media?lid=237&rid=72&gid=292986> Time Stamp 1.03:06
283. The Plaintiff alleges the actions by Mayor Cooper and Councillor Jeffrey were taken in bad faith and to discredit and defame the Plaintiff and restrict his freedom of speech.
284. On April 30, 2018 Mayor Cooper stated, “respectful decorum or you will be terminated”. The Plaintiff alleges Mayor Cooper threatened to terminate the Plaintiff while he voiced his

opinion and criticism of the Defendant Collingwood in an open public form.

<https://www.rogerstv.com/show?lid=12&rid=72&sid=5786&gid=293397> Time Stamp 1.28:48

285. The Plaintiff alleges the statements of Mayor Cooper and Councillor Jeffrey were done on camera for the viewing of people live or through future viewing potentially reaching thousands of people.
286. The Plaintiff alleges these statements were intended to harm the Plaintiff and to discredit and defame the Plaintiff to dismiss him and his coyote concerns in Collingwood.
287. The Plaintiff alleges that the April 29, 2018 intimidating at the Collingwood Public Library was an act to restrict the opinions of the Plaintiff.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD UNLAWFUL CONDUCT

288. The Plaintiff alleges Defendant Collingwood engaged in the unlawful conduct of;
- a. preventing the Plaintiff from trapping/hunting coyotes in his area by withholding by-law information to prevent hunting of coyotes on the ice off of Collingwood,
 - b. conducted false investigations with coyote advocate group Coyote Watch Canada into the resident identified threat of coyotes in the Plaintiff's area,
 - c. leaking confidential information in an attempt to discredit and defame the Plaintiff,
 - d. making false and deceptive statements in policy C2018- 13 development to avoid the immediate trapping of coyotes,
 - e. forcing people to confine their movement and enjoyment of life,
 - f. failing to uphold the right to safety of the Plaintiff, his neighborhood, residents and visitors of Collingwood,
 - g. interfering with the rights to opinion under the Charter of Rights,
 - h. delays and avoidance of providing by-law enforcement to address the coyote problem,
 - i. directing Collingwood OPP services to intimidate the Plaintiff,
 - j. interfering with an independent ruling of the Collingwood Police Service Board on the alleged intimidation of the Plaintiff,
 - k. supporting the protection of urban coyotes in Collingwood while knowing they have and will attack pets which is cruelty to animals in the Plaintiffs neighborhood.
 - l. contravening the Town of Collingwood by-laws by harbouring prohibited canids species.
 - m. actions by the Town Clerk to contravene the Municipal Act.
 - n. causing and permitting to cause pain and suffering to animals.
289. The Plaintiff alleges Defendant Collingwood Staff and Councillors actions were a deliberate discharge of their official duties coupled with knowledge that the misconduct is likely to injure the Plaintiff.
290. The Plaintiff states that Defendant Collingwood Staff Sara Almas and Adam Harrod and Town Councillors who voted for C2018-13 to ignore the threat of coyotes in the Plaintiff's residential area, deliberately and unlawfully exercised their "public" functions and that they knowingly failed to act in the function of their office and acted for improper purpose to dismiss and harm the Plaintiff to protect wild and dangerous urban coyotes in his area and took action

to harbor urban coyotes in Collingwood and prevent the lawful trapping of coyotes in Collingwood.

291. The Plaintiff alleges that Defendant Collingwood misconduct is so malicious, oppressive, highhanded that it offends the court's sense of decency.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD MISFEASANCE IN PUBLIC OFFICE

292. The Plaintiff pleads the Town Clerk of Defendant Collingwood acted with deliberate and unlawful wrongdoings.
293. The Plaintiff pleads the Town Clerk of Defendant Collingwood contravened s. 13(1) and (2) of the Fish and Wildlife Conservation Act.
294. The Plaintiff alleges the Town Clerk of Defendant Collingwood knew her actions would cause damage to the Plaintiff and his neighbors by interfering with the hunting of coyotes on the Crown property off of the Collingwood waterfront of the Defendant's Collingwood residence.
295. The Plaintiff pleads the Town Clerk of Defendant Collingwood contravened the Municipal Act Section 73 by her actions at the April 09, 2018 Collingwood Corporate and Community Services Standing Committee.
296. The Plaintiff alleges the Town Clerk of Defendant Collingwood knew her actions to delay and avoid the trapping of coyotes would do harm to the Plaintiff and his neighborhood.
297. The Plaintiff alleges he has had issues with the Town of Collingwood regarding a family members near fatal incident which the Town of Collingwood would not assume responsibility or take effective action – pushing the burden on the Plaintiff during a difficult time.
298. The Plaintiff alleges this private and personal matter was shared by the Defendant Collingwood with Coyote Watch Canada representatives.
299. The Plaintiff pleads this action was used in an insensitive and harmful way to defame and discredit the Plaintiff.

PART IX: CLAIMS

CLAIM TOWN OF COLLINGWOOD ABUSE OF OFFICE

300. The Plaintiff relies on; The Municipal Act; Section 73 Appointment of clerk, and his duties
- a. 73.(1) The council shall appoint a clerk, whose duty it is,
 - b. (a) to truly record in a book, without note or comment, all resolutions, decisions and other proceedings of the council;
 - c. (b) if required by any member present, to record the name and vote of every member voting on any matter or question;
 - d. (c) to keep the books, records and accounts of the council;

- e. (d) to preserve and file all accounts acted upon by the council;
 - f. (e) to keep in his or her office or in the place appointed for that purpose the originals of all by-laws and of all minutes of the proceedings of the council;
 - g. (f) to perform such other duties as may be assigned by council.
 - h. <https://www.canlii.org/en/on/laws/stat/rso-1990-c-m45/latest/rso-1990-c-m45.html>
301. The Plaintiff pleads that the Town Clerk contravened Section 73 of the Municipal Act by interfering with Councillor Lloyd's motion to defeat staff report 2018-10 and address the immediate removal of the coyotes in East end Collingwood.
- a. The Town Clerk developed and approved the development of staff report C2018-10 and oversaw the by-law department which created C2018-10. The Town Clerk had a conflict of interest with recording the motion that defeated her policy and trying to move the policy through the Defendant Collingwood Council process for approval.
302. The Plaintiff relies on; The Municipal Act; Section 138 Noise 138. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants. R.S.O. 1990, c. M.45, s. 210, pars. 132-138. 139. Repealed: 1996, c. 1, Sched. M, s. 7 (1).
303. March 27, 2018 the Plaintiff emailed Sara Almas, Town Clerk regarding a coyote disturbance in his area with a link to a video of the sound of howling by the coyotes.
304. The Plaintiff alleges his noise complaint to the Town Clerk who oversaw the by-law department was not responded to.
305. The Plaintiff alleges he was invited to a meeting March 29, 2018 at 9:30 am at the Clerk Office by a victim of an attack by a coyote.
306. The Plaintiff alleges during the March 29, 2018 meeting by-law official Adam Harrod laughed at the Plaintiff for suggesting the by-law department would respond to howling coyotes.
307. The Plaintiff pleads that Defendant Collingwood contravened Section 140 of the The Municipal Act by allowing the howling of coyotes in the neighborhood of the Plaintiff and failing to respond to the noise complaint of the Plaintiff and laughing at the Plaintiff to suggest that the Town of Collingwood would deal with howling coyotes.
308. The Plaintiff relies on: The Municipal Act; Section 140 Nuisances For prohibiting and regulating public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances and the opinion of council, if arrived at in good faith, is not subject to review by any court. 2001, c. 25, s. 478 (2).
309. The Plaintiff alleges Defendant Collingwood acted in bad faith to prevent the trapping of coyotes and allowing coyotes to roam at large and create a nuisance in Collingwood.
310. The Plaintiff alleges the Defendant Collingwood abused its office to contravene the Municipal Act and dismiss the Plaintiff.
311. The Plaintiff alleges Defendant Collingwood used lobbying of Coyote Watch Canada to advance coexistence policy of the Town Clerk.

PART IX: CLAIMS

CLAIM DEFENDANT COLLINGWOOD PUNITIVE, AGGRAVATED AND EXEMPLARY DAMAGES

312. The Plaintiff alleges that Defendant Collingwood actions to harbor coyotes and prevent the trapping of coyotes was undertaken in a manner that amounts to bad faith, particulars of which are as follows;
- a. It deceived the public in making the coyote problem a complicated issue which needed Council approval when the laws are in place to hunt and trap coyotes in Collingwood and the Plaintiff offered to pay a few thousand dollars to trap the coyotes – they made a charade out of the coyote problem to defer and avoid staff having to take action on behalf of informed and concerned residents;
 - b. It failed to consider the Plaintiffs concerns over threat, risk and safety on it merits;
 - c. It selected a policy and assessment of the threat which was to the detriment to the Plaintiff;
 - d. It made a bad faith decision to not trap coyotes, in keeping with a practice of deceiving the Plaintiff and other residents in Collingwood;
 - e. If ignored the Plaintiff's request to trap coyotes contrary to its obligations to safety of residents and its duty of good faith;
 - f. It failed to respond to the Plaintiff's safety concerns contrary to its duty of good faith;
 - g. It had a predetermined coyote coexistence plan independent of the threat of coyotes, attacks or killings by the coyotes in the East end of Collingwood or other areas of Collingwood;
 - h. It acted in bad faith to force an urban coyote coexistence agenda,
 - i. It failed to consider the Plaintiff's concerns on it merits;
 - j. It failed to use the laws of Ontario to trap coyotes to protect people and property;
 - k. It selected an interpretation of the threat of urban coyotes that was to the detriment of the Plaintiff;
 - l. It based its decision to not trap based on the use of deceptive information on other trapping programs, and the effectiveness of trapping;
 - m. It based it's decision not to trap on deceptive information from bias parties protecting coyotes;
 - n. It failed to consider that the coyotes could have been trapped and if others returned to the area they could be trapped instead of avoiding trapping and continuing the threats and attacks by coyotes as the alternative;
 - o. It decided to protect urban coyotes in the East end of Collingwood while failing to acknowledge the coyotes could be legally hunted if they left the urban area that was to the detriment of the Plaintiff;
 - p. It deceived people in stating that sighting of coyotes is no reason for alarm;
 - q. It deceived people in thinking coyotes will control rodent and geese populations while failing to address the other wildlife coyotes will devastate such as deer and rabbits;

- r. It posed signs that “coyotes may be present” while failing to warn of the danger;
 - s. It withheld information on Collingwood by-law jurisdiction to prevent trapping and or hunting of coyotes by hunters or trappers hired by the Plaintiff;
 - t. It acted on “science” and advice from Coyote Watch Canada which provided information that is bias and unsubstantiated which is effective in protecting urban coyotes which is at the detriment to the safety of the Plaintiff and nuisance in his residential area;
 - u. It attempted to blame residents with an alleged feeding charade in the East end of Collingwood to deflect from the threat and coyote problem and engage neighbours in reporting neighbours for feeding birds and creating adversary relationships in the Plaintiff’s residential area;
 - v. it contracted Coyote Watch Canada to appear in Collingwood to further deceive residents into believing there are ecological role of coyotes in Collingwood to support the urban coexistence policy in addition to the wildlife feeding charade.
 - w. It relied on reports from biologists and parties motivated to protect coyotes to make decisions of public safety which allowed pets to be attacked and killed and put people in harms way from coyotes roaming at large;
 - x. It failed to acknowledge that coyotes were devastating wildlife in Collingwood and deceived people into thinking they were acting to protect wildlife and the ecosystem;
 - y. It directed police resources to intimidate the Plaintiff;
 - z. It used the Collingwood Police Service Board to dismiss the intimidation of the Plaintiff by Defendant Collingwood;
 - aa. It sponsored a living with coyotes presentation by Coyote Watch Canada while refusing to allow the Plaintiff or any other parties to provide a counter argument.
 - bb. It used Coyote Watch Canada and its Collingwood representatives Sara Abawi and Kirsten Dulmage to deceive Council members and the public;
 - cc. It used deceptive tactics of Coyote Watch Canada to deceive Council members and the public;
 - dd. It caused unnecessary pain and suffering to pets;
 - ee. It conducted investigations with the assistance of coyote advocate group Coyote Watch Canada which were deceptive;
313. The Plaintiff alleges that the Defendant was notified that continued action would be negligent and continued actions by the Defendant amounts to reckless disregard of the merits of the concerns and the Plaintiff’s rights and therefore pleads that he should be entitled to an award of exemplary, aggravated, and punitive damages by this Honourable Court.
314. The Plaintiff alleges the actions of refusing to trap coyotes and forcing the Plaintiff and neighbours to coexist in his neighbourhood with wild unpredictable dangerous urban coyotes is a malicious action to protect a few coyotes while knowing these actions would harm the Plaintiff and neighbours in East end Collingwood and throughout Collingwood.
315. The Plaintiff alleges that the Defendant Collingwood’s conduct with regards to the Plaintiff’s rights to safety, freedom of expression, privacy and cruelty to animals was conduct of the kind which can fairly be characterized as high-handed, egregious and which amounts to a reckless disregard for the safety of the Plaintiff and the Plaintiff’s rights and therefore pleads that he should be entitled to an award of exemplary, aggravated, and punitive damages by this Honourable Court.

316. The Plaintiff further alleges that the Defendant Collingwood, breached its duty of good faith owed to the Plaintiff, via its own actions and/or the actions of its respective employees and agents, for which it is responsible in law, and that the said breaches alleged in paragraph 312, entitle the Plaintiff to punitive damages given the financial, personal resources and emotional hardship that has ensued.
317. The Plaintiff alleges that he sustained mental distress as a result of the conduct of the Defendant and its agents.

PART X: CLAIMS

CLAIM ARISING FROM DEFENDANT COLLINGWOOD AGENT COYOTE WATCH CANADA

318. The Plaintiff alleges Coyote Watch Canada is a lobby group.
319. The Plaintiff, alleges the Town of Collingwood paid Coyote Watch Canada for services to affect policy.
320. The Plaintiff pleads that Coyote Watch Canada was an agent of Defendant Collingwood and Defendant Collingwood was liable for their actions.
321. The Plaintiff was aware that municipal governments used Coyote Watch Canada as a resource to promote urban coyote coexistence.
322. The Plaintiff was aware Coyote Watch Canada lobbied for urban coyote coexistence.
323. On February 27, 2018 the Plaintiff emailed Coyote Watch Canada Coyotewatchcanada@gmail.com stating; “Could you please update your information pertaining to coyotes. It is disservice to residents in Canada to receive bias information that puts people and domestic pets such as dogs and cats at risk by not knowing the facts and risk related to coyotes. If people are made aware that coyotes have killed people and pets of people they will act more cautiously and ask for protection from these wild animals in our urban centers. This should be your opening position to responsibly educate people about coyotes. We have had recent high traffic of coyotes; attacks and near attacks. As the Town of Collingwood also allows wolves and bears into roam at large in our residential areas you will need to consider “wolf watch” and “bear watch” to help us avoid conflicts. As we fence ourselves in and stay off of our streets the government awareness campaigns may appear to be effective – to allow the coyotes, wolves and bears to roam our streets without concern of humans. The following information is a sample of available information which disputes the position that coyotes are not an immediate threat; <http://www.cbc.ca/news/canada/nova-scotia/coyotes-kill-toronto-singer-in-cape-breton-1.779304>, <http://thechronicleherald.ca/novascotia/96968-protective-gear-saves-teen-from-coyote>, <https://www.simcoe.com/simcoecounty-author/john-edwards/da7bd96a-02fe-460b-a6bd-11241bfbbed85/>, <https://www.ctvnews.ca/canada/coyotes-attack-blind-husky-owner-fights-them-off-with-a-bat-1.3715944>, <https://www.ctvnews.ca/canada/i-was-terrified-neighbour-rescues-woman-small-dog-from-coyote-in-ontario-suburb-1.3756753>, <https://www.sgvtribune.com/2017/01/25/trio-of-coyotes-attack-dog-in-glendora-city-hires-trapping-company/>, <http://www.latimes.com/tn-dpt-me-0925-seal-beach-coyote-20140923-story.html>, [46](https://www.ocregister.com/2016/06/21/huntington-beach-weve-caught-</p></div><div data-bbox=)

[euthanized-nine-coyotes-in-three-months/](#), <http://www.beachmetro.com/2016/10/18/letter-government-needs-step-stop-coyote-attacks/>, If this is not effective; much more can be provide

to you. The presence of these wild animals in our neighborhood day and night pose a continued and unacceptable level of risk/threat to residents and our pets. Regards, Jeff Brown, Concerned Resident on behalf of the rights to safety in our urban centers. Collingwood, Ontario Resident.”

324. February 28, 2018 email to the Plaintiff from Coyote Watch Canada, Coyote Watch Canada Community Outreach Team coyotewatchcanada@gmail.com stated, “Good afternoon Mr. Brown, Thank you for your concerns. Sincerely, Coyote Watch Canada Community Outreach Team, Coyote Watch Canada, P.O. Box 507, 341 Creek Rd. St. Davids Ontario L0S 1P0”

325. The Plaintiff alleges Coyotes Watch Canada has successfully lobbied in cities across Ontario for coexistence policy with coyotes within urban centers.

326. The Plaintiff alleges Coyote Watch Canada has performed “investigations” in cities with the consistent outcome that there are alleged sources of food from people in cities contributing to the coyote presence.

327. The Plaintiff alleges, Coyote Watch Canada makes claims and uses “science” to protect coyotes in urban centers.

328. The Plaintiff alleges Coyote Watch Canada uses a similar approach’s as Project Coyote in the USA.

329. Project Coyote science and campaigns are challenged by resources such as <https://projectcoyotelies.com/>

330. The Plaintiff alleges Coyote Watch Canada Collingwood representatives are Sara Abawi and Kirsten Dulmage.

331. Sara Abawi and Kirsten Dulmage managed a petition and campaign to stop the trapping of coyotes in Collingwood.

332. Coyote Watch Canada has lobbied to acknowledge an Algonquin wolf species, and have the Algonquin wolf put on an Endangered Species List.

333. April 16, 2018 CWC representative on camera stated there was no evidence of coyotes in the East end of Collingwood.

b. <https://www.rogerstv.com/media?lid=237&rid=72&gid=292986> Time stamp 38:36, no evidence of an established pack.

334. The Plaintiff, alleges Coyote Watch Canada has issued incorrect and misleading statements to wrongly influence coyote coexistence policy in Collingwood.

335. April 26, 2018; Posted on the Coyote Watch Canada website; “What do I do if I see a coyote? “Seeing a coyote should not be cause for alarm. Like all other urban wildlife, they’re looking for food, water and shelter. However, if the coyote is approaching you or in an area that you’re not comfortable with (your backyard, a busy park), consider hazing it (see below) to scare it away.” **We recommend that apart from disclosing the location of the sighting to us, you keep that information confidential in order to protect the coyotes.**” Source of information; <http://www.coyotewatchcanada.com/site/coyote-faqs-04-26-2018>.

336. The Plaintiff, alleges Defendant Collingwood has participated in sharing sightings with Coyote Watch Canada to protect coyotes while creating a public safety issue.

337. The Plaintiff, alleges Defendant Collingwood notified Coyote Watch Canada of the need to appear before Council to counter the Plaintiff's argument to remove coyotes from Collingwood.
338. April 30, 2018 Sara Abawi of Coyote Watch Canada presented to Town of Collingwood Town Council
- a. <https://www.rogerstv.com/show?lid=12&rid=72&sid=5786&gid=293397> Time Stamp 1:52:37
339. The Plaintiff, alleges Coyote Watch Canada representatives also represent Collingwood Animal Advocate Group (CAAG)
- a. The plaintiff alleges, the petition that CAAG circulated is misleading and deceptive practices to prevent trapping in Collingwood (<https://www.change.org/p/collingwood-animal-right-advocate-team-protect-the-wildlife-in-collingwood-coyotes-at-risk>)
- b. The Plaintiff, alleges the petition makes a statement about only 2 fatal coyote attacks by coyotes; failing to disclose the high number of attacks on people.
- c. The Plaintiff, alleges the petition makes an incorrect and deceptive statement that there are 1-2 fatal dog attacks in Canada each year which is incorrect and misleading and as their own "science facts" state the coyote diet consists of 2% of domestic animals.
340. The Plaintiff, alleges Coyote Watch Canada promoted and sponsored intimidation on Facebook with Ginger Kansas postings.
341. The Plaintiff, alleges Coyote Watch Canada is negligent in misleading policy makers that the urban coyote problem is largely because of residents feeding wildlife and recently the ecological role of urban coyotes in Collingwood.
342. The Plaintiff alleges Coyote Watch Canada promotes the protection of coyotes in Collingwood while admitting coyotes will kill dogs and cats as prey or to protect their territories.
343. The actions of Coyote Watch Canada exposes pets to unacceptable risk in Collingwood to attacks and harm which is cruelty to animals.
344. The Plaintiff alleges Defendant Collingwood acted with willful blindness while dealing with Coyote Watch Canada, particulars of which are as follows;
- d. Defendant Collingwood ignored that investigations by Coyote Watch Canada are false and for the purpose to protect coyotes.
- e. Defendant Collingwood ignored that the alleged feeding coyotes and wildlife is a common tactic of Coyote Watch Canada to protect coyotes.
- f. Defendant Collingwood ignored that the information sessions that host Lesley Sampson of Coyote Watch Canada use tactics to deceive the public to believe they should live with coyotes in cities.
- g. Defendant Collingwood ignored the fact that Coyote Watch Canada presentations use police services to prevent victims of coyote attacks to voice their concerns or for people to voice objection to the views and tactics of Coyote Watch Canada.
- h. Defendant Collingwood ignored that Lesley Sampson is a school teacher who loves coyotes while trying to project an image of a federal agency empowered to protect coyotes on behalf of the Federal government.

PART XI: CLAIMS

CLAIM ARISING FROM DEFENDANT COLLINGWOOD AGENT KIRSTEN DULMAGE

345. The Plaintiff alleges Kristen Dulmage is a resident of Collingwood, a Collingwood representative of Coyote Watch Canada and represented Collingwood Animal Advocate Group through a petition and campaign to protect coyotes in Collingwood.
346. The Plaintiff alleges Kirsten Dulmage was an agent of Defendant Collingwood and was used to promote urban coyote coexistence policy development and implementation.
347. The Plaintiff alleges Defendant Collingwood was aware of campaigns Kirsten Dulmage ran to prevent trapping and promote coexistence with urban coyotes.
348. April 04, 2018 Kristen Dulmage posted on her Facebook account <https://www.facebook.com/kirsten.dulmage>
- a. [Kirsten Elizabeth](#) April 4, 2018 · [The Blue Mountains](#) · Hello - I need your help..on Monday, April 9th @ 5pm I will be speaking at the Collingwood Town Hall Meeting in regarding to the Coyote issue. A member of the community is advocating to have a group of Coyotes killed in his neighbour after they killed one dog and injured another. Both dogs were outside in the evening, not on leashes. He has gone off the deep end. I will be starting a petition to make sure the Town of Collingwood does not kill the coyotes. We need to educate on Co-existing. They have not posed a threat to ANY human. Please stand with me. [Sarah Bear](#)
349. The Plaintiff, alleges the statement of April 04, 2018 on Facebook was directed at the Plaintiff as the member of the community who has gone “off the deep end”.
350. April 30, 2018 Kirsten Dulmage of Coyote Watch Canada presented to Town of Collingwood Town Council <https://www.rogerstv.com/show?lid=12&rid=72&sid=5786&gid=293397> Time Stamp 2:03:13
- a. Kirsten Dulmage stated “I would like to note for the record this is not the first time that an issue with wildlife has been brought to Council. There was a wasp concern from a resident of the East end who wanted our wasps eradicated. Please refer back to Council agenda documentation October 06, 2014 for more information. Wasp now coyotes what’s next. This is not acceptable.” Time Stamp. 2:06:21
351. The Plaintiff alleges Kirsten Dulmage statement on April 29, 2018 referred to a resident of the East end was in reference to the Plaintiff.
352. The Plaintiff alleges images used by Kirsten Dulmage to portray the Plaintiff and actions of Kirsten Dulmage was a willful promotion of hatred towards coyote trappers and the Plaintiff who wanted to legally trap coyotes in his area.
353. The Plaintiff alleges the statements made by Kirsten Dulmage on April 04, 2018 and April 30, 2018 were a defamation of character of the Plaintiff.
- a. The Plaintiff alleges the statement that the Plaintiff “had gone off of the deep end” were damaging to the credibility of the Plaintiff and his concerns and actions to attempt to legally remove the coyotes from his area.

- b. The Plaintiff alleges the statement made by Kirsten Dulmage on April 30, 2018 were directed at the Plaintiff and were a defamation of character to dismiss his concerns and cause damage from the continuation of the threat of coyotes in his area.
- c. The Plaintiff states that the Kirsten Dulmage by statements she made and information she circulated on social media, defamed the Plaintiff in his personal and community capacity by implying the Plaintiff was not of sound mind and wanted to eradicate wildlife from Collingwood.
- d. The Plaintiff alleges the statements of April 04, 2018 and April 30, 2018 were intentionally false and intended to ridicule and injure the Plaintiff.
- e. The Plaintiff alleges the statements were damaging to him by contributing to the delay in addressing the coyote problem in Collingwood, his reputation, causing him to spend time to fight for his right to safety, continued loss of enjoyment of life in Collingwood and the upset from having to engage in this problem given the resistance he faced.

354. The Plaintiff alleges the statements made by Kirsten Dulmage were hurtful, caused mental distress, humiliated and ridiculed the Plaintiff.

355. The Plaintiff alleges Kirsten Dulmage used social media to cyberbully the Plaintiff.

356. The Plaintiff, alleges Kirsten Dulmage represented Collingwood Animal Advocate Group (CAAG)

357. The Plaintiff alleges Kirsten Dulmage developed and circulated a petition on change.org to protect coyotes in Collingwood (<https://www.change.org/p/collingwood-animal-right-advocate-team-protect-the-wildlife-in-collingwood-coyotes-at-risk>) which gave her access to over 2,000 individuals.

358. The Plaintiff, alleges the petition received approximately 2,003 signatures.

359. The Plaintiff, alleges the petition was effective in stopping the Town of Collingwood from trapping coyotes.

360. The Plaintiff, alleges the CAAG petition was promoted to prevent and interfere with the trapping of coyotes in the Town of Collingwood and interfered with the right to trap coyotes by the Plaintiff.

361. The Plaintiff alleges Kirsten Dulmage attended the Coyote Watch Canada presentation at the Collingwood Public Library on April 29, 2018.

362. The Plaintiff asserts that the Kirsten Dulmage, is responsible for her conduct in attending the April 29, 2018 public meeting at the Collingwood Public library in a manner that was deliberately intended to violate the fundamental rights of the Plaintiff.

363. The Plaintiff alleges Kirsten Dulmage took action to humiliate the Plaintiff with police intimidation prior to the April 29, 2018 Coyote Watch Canada information session.

364. The actions of Defendant Dulmage to prevent coyote trapping in Collingwood exposed Collingwood pets to unacceptable risk to attacks and harm which is cruelty to animals.

365. The Plaintiff, alleges that the particulars of the Kirsten Dulmage negligence include;

- a. making false statements to willfully promote hatred towards the Plaintiff and to discredit and defame the Plaintiff and humiliate the Plaintiff.
- b. used images to promote and communicate to others hatred towards trapping of coyotes and those who attempted to exercise their rights to trap.
- c. making false statements to prevent trapping in Collingwood.

- d. issuing deceptive information to prevent trapping in Collingwood.
 - e. deceiving the public and the Town of Collingwood to prevent trapping of coyotes in Collingwood.
 - f. causing unnecessary pain and suffering and cruelty to animals.
366. The Plaintiff alleges Kirsten Dulmage made negligent representations on the petition she circulated; stating "Coyotes DO NOT pose a threat to humans".

PART XII: DAMAGES TO PLAINTIFF JEFF BROWN

367. By reason of the Defendants' actions, the Plaintiff has suffered damage including:
- a. a loss of enjoyment of life in that he can no longer safely enjoy activities he used to enjoy, such as daily walking safely on his street, and being safe outdoors on his property daily,
 - b. restricting his movements and enjoyment of his daily movements,
 - c. deterioration of the safety in the neighborhoods he lives in,
 - d. coyote hazing and deterrent expenditures,
 - e. the Plaintiff is reluctant to own a dog or have pets visit his property,
 - f. upsetting experience of being dismissed on the coyote problem, laughed at by a Defendant Collingwood by-law department employee, discredited, defamed and intimidated,
 - g. stress over the safety of his visiting grandchild and children,
 - h. mental distress,
 - i. disruption to his sleep and general health and well being,
 - j. loss of enjoyment in life from the excessive time to dedicate to researching, documenting and challenging the management of coyote problem in Collingwood.
 - k. causing strained relationships and rejection of the Plaintiff from misinformed neighbors for taking a position on the coyote problem and challenging the Town of Collingwood and the Collingwood OPP.
368. The Plaintiff alleges that in failing in their duty, Defendant Collingwood and Defendant Police Services Board have endangered the Plaintiff and the lives of the pets and citizens in East end Collingwood and other parts of Collingwood.
369. The Plaintiff, alleges the Collingwood OPP failed to provide safety on direction from Defendant Collingwood and Defendant Police Service Board which affected the safety and enjoyment of the Plaintiff's property and neighborhood.
370. The Plaintiff, alleges the intimidation caused harm to the Plaintiffs credibility as he was pulled from a public meeting by the Collingwood OPP, labeled as a protester, humiliated him in front of the Town of Collingwood By-law department, Coyote Watch Canada and Collingwood residents in attendance of the April 29, 2018 meeting at the Collingwood Public Library and people who become aware of the incident.

PART XII: DAMAGES TO PLAINTIFF OTHERS CLASS 1

371. By reason of the Defendants' actions, the Plaintiff Others Class 1 have suffered damage including:
- a. a loss of enjoyment of life in that they can no longer safely enjoy activities they used to enjoy, such as daily walking safely on their street, and being safe outdoors on their property daily,
 - b. restricting their movements and enjoyment of their daily movements,
 - c. deterioration of the safety in the neighborhoods they live in,
 - d. nuisance of having the presence and threat of coyotes,
 - e. damages pursuant to s. 24(1) of the Charter section 7.
 - f. coyote hazing and deterrent expenditures,
 - g. upset from being dismissed by Defendant Collingwood and the waste of taxpayers' dollars relating to the coyote coexistence policy,
 - h. stress over the safety of their pets, children and grandchildren,

PART XIII: DAMAGES TO PLAINTIFF OTHERS CLASS 2

372. By reason of the Defendants' actions, the Plaintiff Others Class 2 have suffered damage including:
- a. a loss of enjoyment of life in that they can no longer safely enjoy activities they used to enjoy, such as daily walking safely on their street, and being safe outdoors on their property daily,
 - b. restricting their movements and enjoyment of their daily movements,
 - c. deterioration of the safety in the neighborhoods they live in,
 - d. nuisance of having the presence and threat of coyotes,
 - e. damages pursuant to s. 24(1) of the Charter section 7.
 - f. coyote hazing and deterrent expenditures,
 - g. upset from being dismissed by Defendant Collingwood and the waste of taxpayers' dollars relating to the coyote coexistence policy,
 - h. stress over the safety of their pets, children and grandchildren,
 - i. veterinary expenses for attacks on pets,
 - j. pain and suffering from harm to their pets.

STATUTES RELIED UPON

373. The Plaintiff, pleads and relies upon the provisions of the following statutes;
- f. Negligence Act, R.S.O. 1990 (<https://www.canlii.org/en/on/laws/stat/rso-1990-c-n1/latest/rso-1990-c-n1.html>)
 - g. Courts of Justice Act, R.S.O. 1990,

- h. Fish and Wildlife Conservation Act, 1997 Section 13
- i. [Police Services Act](#),
- j. Charter of Rights (<https://www.canlii.org/en/ca/laws/stat/schedule-b-to-the-canada-act-1982-uk-1982-c-11/latest/schedule-b-to-the-canada-act-1982-uk-1982-c-11.html?searchUrlHash=AAAAAQATImNoYXJOZXIgb2YgcmlnaHRzlgAAAAAB&resultIndex=1>)
- k. Municipal Act, 1990 <https://www.canlii.org/en/on/laws/stat/rso-1990-c-m45/latest/rso-1990-c-m45.html>
- l. [Judicial Review Procedure Act, R.S.O. 1990, c. J.1](#)
- m. [Criminal Code](#) s. 281.2(2) (enacted R.S.C. 1970, c. 11 (1st Supp.), s. 1)
- n. the [Interpretation Act, R.S.O. 1990, c. I.11](#) Section 27
- o. Section 5(1), of the CPA

JURISDICTION

The Plaintiff, proposes that this action be tried in the City of Collingwood, in the Province of Ontario.

April 04, 2019
(Date of issue)

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