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NEWS

Legal action a SLAPP: lawyer

● From page 1

Sept. 6, 2016.

Mohammed, fearful of facing litigation, posted her retraction and apologies in the Facebook groups on Sept. 8, 2016, and additionally sent personal messages to members retracting her statements.

The next day, Mohammed received a statement of claim from United Soils' lawyer, suing her for defamation for damages of \$100,000 for libel, aggravated damages of \$10,000 and punitive damages of \$10,000, totalling \$120,000.

She never thought her Facebook comments could cost her \$120,000.

"I was terrified," Mohammed said. "I've never had any trouble with the law before. The worry of having to fight expensive litigation, being a young family, the potential of breaking our family was very worrying."

"Being a mom and a

teacher, I never thought that speaking out would land me in this spot."

Mohammed's lawyer, Sabrina Callaway, considers this a so-called strategic lawsuit against public participation (SLAPP).

"This (lawsuit) targets people to force them to

'Being a mom and a teacher, I never thought that speaking out would land me in this spot.'

Katie Mohammed

put their energy and their financial resources in defending a lawsuit and detracts their interest away from speaking about something of a matter of public interest," Callaway said.

In response, Mohammed has scheduled a motion to dismiss the action and claim damages for emotional dis-

stress. She's doing so under recent legislation that came into effect in November 2015.

The Protection of Public Participation Act is meant to protect the rights of Ontario residents to speak out on public issues without fear, Callaway said, noting this case will be one of the first to test Ontario's anti-SLAPP legislation.

Alec Cloke, owner and operator of United Soils, told the Sun-Tribune in August that "there are no tricks here," stressing that the "fill that comes in isn't contaminated." Cloke also said that inspectors are free to "walk into our office, go through our files at will, whenever he/she feels like doing it."

Neither Cloke nor his lawyer responded to an email asking for comment on the lawsuit.

Mohammed is waiting for the motion, scheduled for Feb. 27 or 28, 2017.

UReport

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Season's Greetings

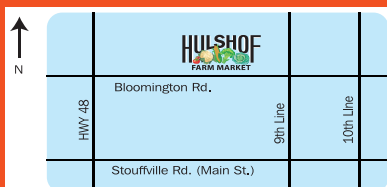
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