

**Report to Council on an Inquiry Respecting the  
Conduct of Councillor Chiarelli - Appendices**

**Appendix 1 - Complaint Protocol for the Code of Conduct for Members of Council**

Appendix "A"  
COMPLAINT PROTOCOL

PART I  
INFORMAL COMPLAINT PROCEDURE

INFORMAL COMPLAINTS

1. Any individual who identifies or witnesses behaviour or activity by a sitting Member of Council or a citizen member of the Transit Commission, that appears to be in contravention of the Code of Conduct for Members of Council (the "Code of Conduct") may address the prohibited behaviour or activity themselves in the following manner:

- (a) Advise the Member that the behaviour or activity appears to contravene the Code of Conduct;
- (b) Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
- (c) Document the incidents including dates, times, locations, other persons present, and any other relevant information;
- (d) Request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue;
- (e) If applicable, confirm to the member your satisfaction with the response of the Member; or, if applicable, advise the Member of your dissatisfaction with the response; and
- (f) Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part II, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.

2. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying behaviour or an activity that they believe violates the Code of Conduct. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint. However, the informal process is not a precondition or a prerequisite to pursuing the formal complaint procedure outlined in Part II.

PART II  
FORMAL COMPLAINT PROCEDURE

FORMAL COMPLAINTS

3. Any individual who identifies or witnesses behaviour or an activity by a sitting Member of Council or a citizen member of the Transit Commission, that they believe is in contravention of the Code of Conduct for Members of Council, may file a formal complaint in accordance with the following conditions:

- (a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual.
- (b) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct. A supporting affidavit setting out the evidence in support of the allegation must also be included.
- (c) If the complainant is a Member of Council, a citizen member of the Transit Commission or the staff person of a Member of Council, their identity shall not be protected if the Integrity Commissioner finds that the complaint was not made in good faith.
- (d) City Council and the Transit Commission may also file a complaint and/or request an investigation of any of its membership by public motion.

#### FILING OF COMPLAINT AND CLASSIFICATION BY INTEGRITY COMMISSIONER

- 4. (1) The complaint shall be filed with the City Clerk and Solicitor who shall forward the matter to the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council policies as described in Section 5.
- (2) If the complaint does not include a supporting affidavit, the Integrity Commissioner may defer the classification until an affidavit is received.

#### COMPLAINTS OUTSIDE INTEGRITY COMMISSIONER JURISDICTION

5. If the complaint, including any supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or complaint procedure under another Council policy, the Integrity Commissioner shall advise the complainant in writing as follows:

##### CRIMINAL MATTER

- (a) If the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate Police Service.

##### MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

- (b) If the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter must be referred to the City Clerk and Solicitor for Access and Privacy review.

#### OTHER POLICY APPLIES

- (c) If the complaint seems to fall under another policy, the complainant shall be advised to pursue the matter under such policy.

#### LACK OF JURISDICTION

- (d) If the complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner, the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

#### MATTER ALREADY PENDING

- (e) If the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a Human Rights complaint or similar process, the Integrity Commissioner may, in his/her sole discretion and in accordance with legislation, suspend any investigation pending the result of the other process.

#### PERIODIC REPORTS TO COUNCIL

6. The Integrity Commissioner shall report to Council semi-annually during the first year, and annually thereafter. In his/her report to Council, he/she shall report on all complaints received and, on their disposition, (including complaints deemed not to be within the jurisdiction of the Integrity Commissioner).

#### REFUSAL TO CONDUCT INVESTIGATION

7. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not investigate and, where this becomes apparent in the course of an investigation, shall terminate the investigation.

#### OPPORTUNITIES FOR RESOLUTION

8. (1) Following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a

formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

- (2) The Integrity Commissioner may also decide during his investigation that complaints relating to the following matters may not be Code of Conduct issues and may more appropriately be dealt with through other channels. With the consent of the complainant, the Integrity Commissioner may refer complaints as follows:
  - (a) Formal complaints related to the interaction of municipal staff and Members of Council may be handled by the City Manager and the City Clerk and Solicitor, in consultation with the Mayor's Office.
  - (b) Formal complaints pertaining to matters involving current and former Councillors' Assistants may be handled by the City Clerk and Solicitor.
  - (c) Formal complaints concerning matters between one or more Members of Council may be handled by the Member Services Sub-Committee.

## INVESTIGATION

9.
  - (1) The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act*.
    - (a) Provide the complaint and supporting material to the member whose conduct is in question with a request that a written response to the allegation be provided within ten business days; and
    - (b) Provide a copy of the response provided to the complainant with a request for a written reply within ten business days.
  - (2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any City work location relevant to the complaint for the purpose of investigation and potential resolution.
    - (a) The Member who is the subject of the investigation may consult with a lawyer and charge this to their office budget. If the complaint is determined to have merit, the Integrity Commissioner may require the Member to reimburse these expenses to the City. If the subject of the investigation of a citizen member of the Transit Commission, the costs may be expensed to the Council administration budget through the Clerk's office.
  - (3) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, delay or retaliation encountered during the investigation.

- (4) If the Integrity Commissioner has not completed an investigation before Nomination Day for a regular election, as set out in the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.
  - (a) If an investigation is terminated in accordance with Subsection 9(4), the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after Voting Day in a regular election, the complainant who made the request or the member or former member whose conduct is concerned makes a written request to the Integrity Commissioner that the investigation be commenced.
- (5) The Integrity Commissioner shall retain all records related to the complaint and investigation.

#### NO COMPLAINT PRIOR TO MUNICIPAL ELECTION

10. Notwithstanding any other provision of this Protocol, no complaint may be referred to the Integrity Commissioner, or forwarded by the Clerk for review and/or investigation during the period of time starting on Nomination Day and ending on Voting Day in any year in which a regular municipal election will be held, as set out in the *Municipal Elections Act, 1996*.

#### RECOMMENDATION REPORT

11.
  - (1) The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the intake process has been completed and an investigation has been commenced. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.
  - (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement and/or any recommended corrective action.
  - (3) The City Clerk shall give a copy of the report to the complainant and the Member whose conduct is concerned. The Member shall have the right of reply when the report is considered by Council.
  - (4) Where the complaint is not sustained, except for in exceptional circumstances, the Integrity Commissioner shall not report to Council the result of the investigation except as part of an annual or other periodic report.

#### MEMBER NOT BLAMEWORTHY

12. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*.

#### REPORT TO COUNCIL

13. Upon receipt of a report, the Clerk shall indicate, on the next regular agenda of City Council, Notice of Intent from the Integrity Commissioner to submit a report for consideration at the following regular meeting of City Council.

#### NO REPORTS PRIOR TO MUNICIPAL ELECTION

14. Notwithstanding any other provision of this Protocol, the Integrity Commissioner shall not make any report to Council or to any other person during the period of time starting on Nomination Day and ending on Voting Day in any year in which a regular municipal election will be held, as set out in the *Municipal Elections Act, 1996*.

#### DUTY OF COUNCIL

15. Council shall consider and respond to the report at the next meeting of Council after the day the report is laid before it.

- (a) Council shall not consider whether to impose sanctions on a Member, where the Integrity Commissioner makes a report to Council regarding a contravention of the Code of Conduct, during the period of time starting on Nomination Day and ending on Voting Day in any year in which a regular municipal election will be held, as set out in the *Municipal Elections Act, 1996*.

#### PUBLIC DISCLOSURE

16. (1) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol.
- (2) The Integrity Commissioner shall retain all records related to the complaint and investigation.
- (3) At the time of the Integrity Commissioner's report to Council, the identity of the person who is the subject of the complaint shall not be treated as



confidential information if the Integrity Commissioner finds that a breach has occurred.

- (4) All reports from the Integrity Commissioner to Council will be made available to the public on [ottawa.ca](http://ottawa.ca).

**Appendix 2 - October 3, 2019 Media Release from Councillor Chiarelli**

**For Immediate Release Oct. 3, 2019**

(Ottawa)

**Statement by Councillor Chiarelli**

In recent days, I have received repeated requests (often seeming more like demands) for some comment in relation to the mainly anonymous allegations against me that have surfaced in multiple media reports over the last number of days.

Unfortunately, my ability to respond to these allegations in a more timely fashion has been affected by ongoing and serious medical challenges. There has been some troubling suggestion that my recent request for approved medical leave is disingenuous and/or opportunistic, and related to some reluctance or inability, on my part, to address these allegations, but I can confirm, in the clearest of terms, that I have been dealing with serious, well-documented and objectively verifiable health issues since the middle of August. Also, I have been restricted in speaking because of the expectation of confidentiality that is part of the complaint process.

Notwithstanding this indisputable reality, this situation has reached a level of seriousness, and has adopted what I can only describe as an apparent “mob-mentality” approach to the inaccurate characterization of past events, where I need to write this to step forward and defend my good name, reputation, and three decades of public service, irrespective of any potential adverse health consequences. I feel that I owe this to my loyal constituents. More importantly, I owe this to my loving wife, and to my three wonderful, accomplished daughters. Their love and support is what keeps me going at this difficult time.

I can say, without reservation, that I have never treated a member of my staff (including job candidates) in a sexually harassing, discriminatory, or inappropriate “gender-based” fashion.

People should know that I formally retained legal counsel in July of this year, after learning that I was being targeted over my attempts to bring greater transparency to the LRT procurement process. I had no idea, at the time, of the direction that these political attacks might take. Then, we were made aware of one of my political adversaries attempting to persuade a number of women to join an organized group to speak negatively about me. Those spoken to definitely included some who have made public complaints in the media.

There has been much discussion, in recent media reports, about the multiple

anonymous complaints that have purportedly been filed against me with the City's Integrity Commissioner. Lurid details of these complaints have been openly reported in the media -- with a degree of coordination and timing that is typically seen from seasoned political advisors and/or public relations professionals -- despite clear and formal confidentiality requirements associated with the Integrity Commissioner's formal complaint process. I have respected these confidentiality requirements, the other side (still officially anonymous) has not.

It is important to stress, however, that allegations related to workplace gender discrimination or workplace sexual harassment **are not matters that are properly placed before the City's Integrity Commissioner.**

(See below for relevant portions of the City's Code of Conduct.)

I have been advised, by experienced legal counsel, that the vast majority of the allegations that have been raised against me are properly and thoroughly covered by the protections and processes set out in the Ontario Human Rights Code.

As specifically stated by my lawyer several weeks ago, when these allegations first surfaced, **I am fully prepared to respond to any human rights complaint that any former employee, or candidate for employment, might see fit to file against me.**

Of course, the process associated with any such complaint provides me with basic procedural rights that are in keeping with what any person facing such allegations would reasonably expect in this country:

- I would be entitled to know the identity of my accuser.
- I would be entitled to know the full particulars of the allegations that were being raised against me.
- I would be entitled to an adjudicative process where sworn evidence was required, and where my lawyer could test the veracity of any such evidence through cross-examination.

I suspect that most people in this country would feel strongly about being afforded these basic rights if they were accused.

Given the clear language of the Code of Conduct, it is very difficult to understand the concerted and coordinated push to have these matters determined by a process that is secretive and virtually untested, by an official who, while an expert in many areas,

clearly does not possess the specialized human rights expertise possessed by members of the Human Rights Tribunal of Ontario.

Yet, certain of my Council colleagues continue to actively and publicly promote the Integrity Commissioner as the most appropriate person to rule on these disturbing allegations, through the utilization of a process that clearly restricts and prejudices my ability to defend myself.

It appears that we have reached a point where today all that is needed is a series of copy-cat scandalous allegations to cause a politically-correct rush to judgement, and the decimation of a 30-year political career, without any critical testing of evidence. It appears that many of my colleagues and peers place short-term political popularity ahead of the presumption of innocence.

**While this may be Rick Chiarelli's problem today, please don't fool yourselves into believing that my stated issues and concerns don't have much broader application and significance. The same script could be weaponized to attack anyone, at any time, with the same ruthless speed and efficiency. The next time, it might be another member of Council. Or it might be your son, or your brother, or your father, or your husband . . . tomorrow, or next month, or next year . . .**

I am a respectful, committed and hard-working member of this community. I am, and have always been, fully prepared to defend myself against each and every one of these disturbing allegations that I said inappropriate things in job interviews or at work.

All I ask is for some accommodation of my current medical condition, and for a fair and appropriate process of adjudication.

Relevant portions of the City's Code of Conduct read as follows:

#### **Complaints Outside Integrity Commissioner Jurisdiction**

5. If the complaint, including any supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct **or the complaint is covered by other legislation** or complaint procedure under another Council policy, the Integrity Commissioner shall advise the complainant in writing as follows:

#### **Criminal Matter**

(a) If the complaint on its face is an allegation of a criminal nature consistent

with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate Police Service.

***Municipal Freedom of Information and Protection of Privacy Act***

- (b) If the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter must be referred to the City Clerk for Access and Privacy review.

**Other Policy Applies**

- (c) If the complaint seems to fall under another policy, the complainant shall be advised to pursue the matter under such policy.

**Lack of Jurisdiction**

- (d) If the complaint is, **for any other reason not within the jurisdiction of the Integrity Commissioner**, the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

**Appendix 3 - Communication from Respondent's legal counsel (October 10, 2019)**

October 10, 2019

**Strictly Confidential/By Electronic Mail**

Robert Marleau, C.M.  
Office of the Integrity Commissioner  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

Dear Mr. Marleau:

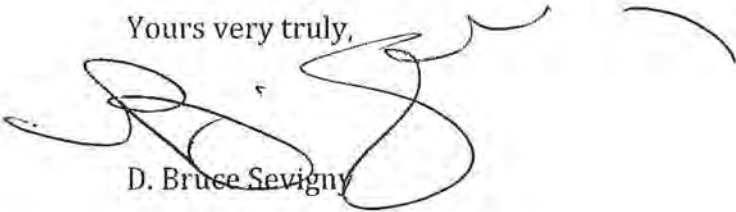
**Re: Councillor Rick Chiarelli**

We acknowledge receipt of your correspondence dated October 3, 2019.

We have received instructions from our client to move forward with a Judicial Review Application in respect of your preliminary jurisdictional decision.

In these circumstances, Councillor Chiarelli will not be responding substantively to any complaint that has been filed with your office to date, or any similar and/or related complaint that might be filed, until a judicial decision on this extremely important jurisdictional issue has been rendered by the Ontario Divisional Court.

Yours very truly,

  
D. Bruce Sevigny

cc: Councillor Chiarelli



**Appendix 4 - Communication to Respondent's legal counsel (October 18, 2019)**

October 18, 2019

SENT VIA EMAIL [bruce.sevigny@sevignydupuis.com](mailto:bruce.sevigny@sevignydupuis.com)

Mr. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road  
Suite 204  
Ottawa, ON K1V 1C1

Dear Mr. Sevigny,

**Re: Councillor Rick Chiarelli  
Our File No. 51246**

We represent the City of Ottawa Integrity Commissioner. We write in response to your letter dated October 10, 2019.

With respect, your proposed application for judicial review is premature and goes against the well-established rule that administrative proceedings should not be fragmented by judicial review applications of interlocutory orders. Such a manner of proceeding serves to delay the investigation and does not permit a review of all issues in the context of a full record. There are no exceptional circumstances which would justify judicial review prior to the completion of the integrity commissioner's process.

As a result, the Integrity Commissioner has determined that he will continue with his investigation. Should your client wish to participate, he may contact the Integrity Commissioner by no later than 5:00p.m. on October 29, 2019. Otherwise, the fact-finding process will conclude without his response and the Integrity Commissioner will issue his reports.

Regards



Julia Wilkes  
JW/mpe

**Appendix 5 - Request for interview with Respondent (December 10, 2019)**

From: [integrity / intégrité](#)  
To: [Chiarelli, Rick](#)  
Cc: ["bruce.sevigny@sevignydupuis.com"](mailto:bruce.sevigny@sevignydupuis.com)  
Subject: Notice: Interview and Public Inquiries Act  
Date: December 10, 2019 12:39:52 PM

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**Sent on behalf of [REDACTED], Investigator:**

Councillor Rick Chiarelli,

In accordance with Section 223.3 (3) of the *Municipal Act, 2001*, the Integrity Commissioner for the City of Ottawa, Robert Marleau, has delegated his powers of inquiry to me for the purposes of an investigation of five formal complaints regarding your conduct under the Code of Conduct for Members of Council. These powers of inquiry are set out in Section 223.4 of the *Municipal Act, 2001* (appended below).

This email serves as a request for an interview, to take place under oath, as provided for in section 33 of the *Public Inquiries Act, 2009*. The interview will take place at Ottawa City Hall. **It would be appreciated if you could please provide your availability between December 17-20, 2019 by 5 pm on December 13, 2019.**

Pursuant to section 223.5(1) of the *Municipal Act, 2001* (appended below), all persons acting under the instructions of the Integrity Commissioner are required to preserve confidentiality with respect to the matters that come before them. As such, please observe strict confidentiality in relation to this matter.

Regards,

[REDACTED]  
Investigator

**Sections 223.4 (1), (2), (3) and (4) and 223.5(1) of the *Municipal Act, 2001***

### **Inquiry by Commissioner**

223.4 (1) This section applies if the Commissioner conducts an inquiry under this Part,

(a) in respect of a request made by council, a member of council or a member of the public about whether a member of council or of a local board has contravened the code of conduct applicable to the member; or

(b) in respect of a request made by a local board or a member of a local board about whether a member of the local board has contravened the code of conduct applicable to the member. 2006, c. 32, Sched. A, s. 98.

### **Powers on inquiry**

(2) The Commissioner may elect to exercise the powers under sections 33 and 34 of the Public Inquiries Act, 2009, in which case those sections apply to the inquiry. 2009, c. 33, Sched. 6, s. 72 (1).

### **Information**

(3) The municipality and its local boards shall give the Commissioner such information as the Commissioner believes to be necessary for an inquiry. 2006, c. 32, Sched. A, s. 98.

### **Same**

(4) The Commissioner is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality or a local board that the Commissioner believes to be necessary for an inquiry. 2006, c. 32, Sched. A, s. 98. Inquiry by Commissioner

### **Duty of confidentiality**

223.5 (1) The Commissioner and every person acting under the instructions of the Commissioner shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part.

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## **Section 33 of the *Public Inquiries Act, 2009***

### **Power to summon witnesses, papers, etc.**

(3) The person or body conducting the inquiry may require any person by summons,

- (a) to give evidence on oath or affirmation at the inquiry; or
- (b) to produce in evidence at the inquiry such documents and things as the person or body conducting the inquiry may specify, relevant to the subject matter of the inquiry and not inadmissible in evidence under subsection (13). 2009, c. 33, Sched. 6, s. 33 (3).

**Confidentiality Notice:** The contents of this e-mail may be privileged and are confidential pursuant to the *Municipal Act, 2001* (Section 223.5). It may not be disclosed to, or used by, anyone other than the addressee(s), nor copied in any way. If received in error, please advise the sender, or alternatively, the Office of the Integrity Commissioner of the City of Ottawa then delete the message from your system(s).

**Avis de confidentialité :** Le contenu de ce courriel peut être protégé et est confidentiel aux termes de la *Loi de 2001 sur les municipalités* (article 223.5). Il ne peut pas être communiqué à des personnes autres que le ou les destinataires ni être utilisé par ces personnes, de même qu'il ne peut pas être reproduit de quelque façon que ce soit. Si vous avez reçu ce courriel par erreur, veuillez en aviser l'expéditeur ou le Bureau du commissaire à l'intégrité de la Ville d'Ottawa, puis supprimer le message de votre ou de vos systèmes.

**Appendix 6 - Communication from Respondent's legal counsel (December 13, 2019)**

From: [Bruce Sevigny](#)  
To: [integrity / intégrité](#)  
Subject: Re: Notice: Interview and Public Inquiries Act  
Date: December 13, 2019 8:33:42 AM

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**CAUTION: This email originated from an External Sender. Please do not click links or open attachments unless you recognize the source.**

**ATTENTION : Ce courriel provient d'un expéditeur externe. Ne cliquez sur aucun lien et n'ouvrez pas de pièce jointe, excepté si vous connaissez l'expéditeur.**

Dear [REDACTED],

I confirm that we continue to act for Councillor Chiarelli.

Our client has, today, been admitted to the Ottawa Heart Institute for open-heart surgery. He will therefore not be in a position to consider your request for an interview until his recovery has progressed to a stable and acceptable level.

Please communicate with me, and only me, if you have any questions or concerns.

Regards,

D. Bruce Sevigny  
Sevigny Dupuis LLP  
Labour & Employment Lawyers  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Tel: (613) 751-4459

Fax: (613) 751-4471

[www.sevignydupuis.com](http://www.sevignydupuis.com)

On Dec 10, 2019, at 12:39 PM, integrity / intégrité <[integrity@ottawa.ca](mailto:integrity@ottawa.ca)> wrote:

**Sent on behalf of [REDACTED], Investigator:**

Councillor Rick Chiarelli,

In accordance with Section 223.3 (3) of the *Municipal Act, 2001*, the Integrity Commissioner for the City of Ottawa, Robert Marleau, has delegated his powers of inquiry to me for the purposes of an investigation of five formal complaints regarding your conduct under the Code of Conduct for Members of Council. These powers of inquiry are set out in Section 223.4 of the *Municipal Act, 2001* (appended below).

**Appendix 7 - Communication from Respondent's legal counsel (February 11, 2020)**



February 11, 2020

**By Electronic Mail**

Ottawa City Council  
c/o David G. White, City Solicitor  
City of Ottawa (City Hall)  
110 Laurier Ave. West  
Ottawa ON K1P 1J1

Robert Marleau, C.M.  
Office of the Integrity Commissioner  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

Dear City Councillors and Integrity Commissioner:

**Re: Councillor Rick Chiarelli**

I confirm that we are the solicitors for Councillor Rick Chiarelli, and that we have been providing advice and representation to Councillor Chiarelli since late July, 2019, in connection with various complaints and allegations that are currently being formally investigated by the Integrity Commissioner, and independent workplace investigator Audrey Lizotte.

We are writing, at this time, to raise a preliminary procedural issue with respect to all of current complaints and related allegations, and to the ongoing investigative processes related to those complaints and allegations.

In simple terms, it is our client's position that, over the last four months or thereabouts, there has been an overwhelming demonstration of patent and palpable bias, by Mayor Jim Watson and other members of Ottawa City Council ("Council"), which has completely undermined our client's legal rights, the integrity of the City's policies and procedures, and the confidence of most right-minded members of the public.

With this letter, we are formally requesting that all current proceedings and related investigations be stayed and/or terminated, on the basis of actual bias and/or Councillor Chiarelli's reasonable apprehension of bias.

We have previously confirmed our client's intention to move forward with a Judicial Review Application before the Divisional Court of the Ontario Superior Court of Justice. If necessary, Councillor Chiarelli remains prepared to move forward with such formal legal action.

Before doing so, however, our client wants to exhaust any and all internal mechanisms, related to the City's internal policies and procedures, so that it cannot be later argued that a judicial review application was somehow premature.

### **Council is the Ultimate Adjudicative Body**

Please note that we are directing this motion to both Council and the Integrity Commissioner ("the IC").

While much focus has been placed on the IC's investigative mandate, and his related public profile, it is apparent that both the IC and Council play important roles, as statutory decision makers, in relation to the formal adjudication and/or determination of the complaints that have been filed against Councillor Chiarelli.

In fact, the provisions of *By-law 2018-400 – Code of Conduct for Members of Council* ("the Code of Conduct") clearly demonstrates that Council is the ultimate statutory decision maker in relation to the subject allegations and complaints. While the IC has certain statutory investigative powers, his statutory decision-making power extends only to reporting to Council, with an outline of his investigative findings, and any **recommended** corrective action.

The interplay between the IC's statutory powers, and a municipal council's statutory decision-making authority, was succinctly summarized by the Ontario Divisional Court in *Di Biase v. City of Vaughan; Integrity Commissioner of the City of Vaughan*, 2016 ONSC 5620 (CanLII):

- [18] Following an investigation, the Integrity Commissioner "reports to the municipality... his or her opinion about whether a member of Council has contravened the applicable code of conduct..." (*Municipal Act*, s. 223.6(2)).
- [19] In a report on conduct following an investigation the Commissioner "may disclose in the report such matters as in the Commissioner's opinion are necessary for the purposes of the report" (*Municipal Act*, s.223.6 (2)).
- [20] Section 223.4(5) of the *Municipal Act* provides that if the Integrity Commissioner reports to the municipality that in his or her opinion the member has contravened the Code of Conduct, then the council of the municipality, if it accepts the report, may impose either of the following penalties:
- a reprimand; or
  - a suspension of the remuneration paid to the member in respect of his or her services as a member of council ...for a period of up to 90 days.
- [21] The municipality must make public the Integrity Commissioner's reports (*Municipal Act*, s. 223.6(3)).

Again, it is submitted that this passage demonstrates that Council is the ultimate adjudicator, and ultimate statutory decision maker, in relation to the Code of Conduct complaints and allegations that have been raised against Councillor Chiarelli.

## Statutory Decision Makers Cannot Be Biased

The common law duty of fairness has been described as follows:<sup>1</sup>

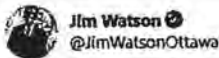
“Public confidence in our legal system is rooted in the fundamental belief that those who adjudicate in law must always do so without bias or prejudice and must be perceived to do so. The common law duty of fairness obliges a tribunal hearing a matter to perform its functions free from bias, or reasonable apprehension of bias.

In principle, the standard is objective. The question is not whether there is evidence of actual bias but whether a reasonable person would perceive bias: “the apprehension of bias must be a reasonable one held by reasonable and right minded persons, applying themselves to the question and obtaining thereon the required information.” (author quotes from the Supreme Court of Canada decision in *Committee for Justice and Liberty v. National Energy Board*, [1978] 1 S.C.R. 369, at 394-395

## Mayor Watson and Council Have Demonstrated Patent and Palpable Bias

It is submitted that there has been a sustained and unsettling demonstration of bias, pre-determination, close-mindedness and/or political opportunism, by Mayor Watson and other members of Council, in relation to the Code of Conduct complaints, and related allegations, raised against Councillor Chiarelli, that would cause most reasonable persons to perceive bias, and conclude, on an objective basis, that Council cannot possibly adjudicate any of these allegations – AND IT IS IMPORTANT TO REMEMBER THAT THEY REMAIN NOTHING MORE THAN UNPROVEN ALLEGATIONS AT THIS POINT – without bias or prejudice.

The demonstrations of patent and palpable bias, by Mayor Watson and members of Council, in relation to the complaints and related allegations raised against Councillor Chiarelli, are clearly a matter of public record across the City of Ottawa over the last four or five months:



Jim Watson  
@JimWatsonOttawa

Please see @tm\_kavanagh's and my statement regarding Councillor Chiarelli.

To say that we are disturbed to hear the latest allegations regarding Councillor Chiarelli would be a gross understatement. There are really no words to describe our disappointment.

Our first thoughts are for the brave women who have come forward to share their experiences. The matter is before the City's Integrity Commissioner; however, we personally hope that these women will also share their experiences with the Integrity Commissioner, so that they can be properly and independently investigated.

---

Crawley, Alistair. “Notes on Reasonable Apprehension of Bias”.  
<https://cmblaw.ca/assets/files/pdf/Reasonable%20of%20Bias%20-%20Crawley.pdf>

Ottawa

### 3 Ottawa councillors call for Chiarelli to resign



McKenney, Leiper, Menard call women's accounts 'degrading'

Trevor Pritchard · CBC News · Posted: Sep 26, 2019 4:15 PM ET | Last Updated: September 26, 2019

CANADA

## Ottawa city council defers Coun. Rick Chiarelli's request for leave



BY CHRISTOPHER WHAN - GLOBAL NEWS

Posted September 25, 2019 8:19 pm

Updated September 25, 2019 9:37 pm

Ottawa

### Chiarelli's leave request denied



College ward councillor must attend council by end of November or his seat will be declared vacant

Joanne Chianello · CBC News · Posted: Oct 23, 2019 11:01 AM ET | Last Updated: October 24, 2019

Ottawa · CBC INVESTIGATES

## Chiarelli affair has cast 'shadow' over city, mayor says



Council to decide on leave request as 13th woman details new allegations

Joanne Chianello · CBC News · Posted: Oct 23, 2019 4:00 AM ET | Last Updated: October 23, 2019

HOME > LOCAL NEWS

## Ottawa City Councillors join protest of Rick Chiarelli at City Hall

The College ward representative made his first appearance at City Hall in more than a month, as 2020 budget items were again up for debate.

Dec 11, 2019 12:47 PM By: [Mike Vlasveld](#)

### Councillors taking a stand on Chiarelli, the only way they can

 CBC December 13, 2019



Councillors taking a stand on Chiarelli, the only way they can

It was a protest unprecedented at Ottawa city hall.

It didn't come from activists — they were there in the council chamber, too — but from city councillors who stood leaning over their chair backs, their laptops perched atop overturned recycling bins as they attended to Wednesday's hefty council agenda, which included approving a multi-billion-dollar budget.

They stayed standing, some for hours, because their colleague, Coun. Rick Chiarelli, was at the table, too.

175 YEARS OF STAYING CITY	NEWS	OPINION	BUSINESS	ARTS	SPORTS	LIFE	OBITS	CLASSIFIEDS	CAREERS
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"He sort of snuck in, snuck out, didn't say anything, didn't explain exactly what he's been up to. And we're left with this ... awkward and embarrassing situation that has become such a distraction almost every week around here," Watson said.

"I think you saw by the reaction that most members of council did not want to be seen near him, quite frankly, myself included."

It's not clear whether or not Chiarelli is back at work, the mayor said, and that's frustrating for colleagues, staff and constituents. He urged the councillor to publicly explain himself.

Chiarelli's Wednesday statement said he will continue to address his medical concerns while doing "as much as he can" to fulfill the expectations of his job, with an eye to eventually returning full-time. In the meantime, Chiarelli said his office staff will continue to serve College ward constituents and stay in contact with him.

The mayor was asked Wednesday if he was frustrated he couldn't do more to intervene in the whole situation. Watson explained that it would be "undemocratic" to give a city council the authority to dismiss an elected member.

But, he added, "I think there probably should be some provision within the municipal act that would give the minister the authority to look at a situation and see that it continues to be untenable and something has to be done."

"Because at the end of the day, Mr. Chiarelli's constituents suffer. They had no input, for instance, in the budget process, and there are issues that are bubbling up in his ward."

Menard said that he and fellow councillors Catherine McKenney and Jeff Leiper have been discussing their own letter to the province to request a change to rules that currently provide little recourse for those who want to hold Chiarelli accountable.



**Theresa Kavanagh City Councillor Bay Ward**

@tm\_kavanagh

## My statement concerning the protest at Council.

Individual councillors during the council meeting each made a personal decision to stand in what appeared to be a show of solidarity with those women who have made complaints against Councillor Rick Chiarelli.

My decision was consistent with what I have previously stated, namely that, regardless of the seriousness of the allegations, Council must still wait for the outcome of the independent investigation by the City's statutorily appointed Integrity Commissioner and then receive his report with an open mind. Not prejudging the outcome of that very investigation is something that I feel strongly about, and I believe my stance will reinforce the integrity of this mandatory legal process.

Maintaining my commitment to an impartial and independent process does not mean that I do not believe survivors. In fact I believe it is crucial for women to be able to come forward to report any form of sexual harassment. I am very much committed to eliminating sexual and gender harassment in the workplace, in the community and in women's homes and intend to put forward action items to attain these goals. For me, meeting my obligations to be and to be seen to be allowing the Integrity Commissioner's investigation to proceed without pre-judging the outcome in such an emotionally charged situation was frankly more difficult than joining in a last-minute suggestion to stand during a council meeting, particularly when I sit beside the accused Member of Council.

I feel strongly that the report from the Integrity Commissioner is crucial and I do not want to jeopardize this very important process. In the meantime, I and other Members of Council are examining recommendations we can make to improve the work environment for councillor employees and city employees in general to ensure a harassment and discrimination free workplace regardless of the outcome of this investigation. There is much work to do.

HOME > LOCAL NEWS

## 'Do the honourable thing:' Mayor Watson calls on Chiarelli to resign

Speaking on Ottawa Today with Mark Sutcliffe on 1310 NEWS, Thursday morning, Mayor Jim Watson called on Chiarelli to resign.

Dec 12, 2019 10:49 AM By: [Jason White](#)



### **More Than Reasonable Apprehension of Bias – Clear Indications of Bias**

It is respectfully submitted that, at this point, Councillor Chiarelli can have no confidence in Council's ability to objectively decide on any matter that is presently before the IC.

Council members have defiantly stood in protest of Councillor Chiarelli. Mayor Watson has openly called for Councillor Chiarelli's resignation. Other members of Council have done the same. Councillor Kavanagh has publicly confirmed her discomfort with the public protest by her colleagues. Mayor Watson has spoken publicly about his "disgust", and not wanting "to be seen near him". Other councillors have urged the Province to hold Councillor Chiarelli "accountable".

To be clear, these have been the actions and statements of the "statutory decision makers". These have been the actions and statements of the ultimate "adjudicators".

How can these actions and statements possibly be reconciled with the "presumption of innocence"?

How can these actions and statements possibly be reconciled with the obligation to be fair, impartial and objective.

It is submitted that there can be no such reconciliation. It is submitted that the Mayor, and members of Council, have irreparably poisoned this process with their repeated demonstrations of bias.

There are a number of other issues, separate and apart from the “public record” of biased statements and actions, that also support the request that these matters be stayed.

### **Refusal To Approve Medical Leave**

It is submitted that members of Council have clearly allowed considerations related to the IC complaints to taint their consideration of Councillor Chiarelli’s past requests for approved medical leave.

It is submitted that Council has clearly used the “medical leave” request process to try to force Councillor Chiarelli out of office.

It is submitted that Council has attempted to utilize this process to impose the harshest sentence imaginable on Councillor Chiarelli – the involuntary loss of his elected position – without affording him due process, or the opportunity to clear his good name.

It is a matter of public record that Council deferred Councillor Chiarelli’s request for approved medical leave at its meeting of September 25, 2019, and ultimately refused the request at its meeting of October 23, 2020.

It is absolutely unprecedented for Council to second-guess, ignore or reject a councillor’s medical notes in these circumstances.

We confirm, for the record, that Councillor Chiarelli submitted three (3) separate medical notes from his family physician, in support of his request for approved leave (notes dated September 24, October 8 & October 22). As early as September 24<sup>th</sup>, Councillor Chiarelli’s physician confirmed an August 14<sup>th</sup> trip to the Emergency Room, the prescribing of medication, and the referral to a cardiology specialist.

It is also unprecedented for Council to not approve this type of leave request, when supported by uncontradicted medical evidence. In fact, two other similar requests were approved by Council, for Councillor Diane Deans and Councillor Keith Egli, without hesitation, objection or scrutiny, on September 25, 2019, **the very same day that Councillor Chiarelli’s similar request was deferred.**

It is submitted that Council’s unjustifiable and unreasonable approach to Councillor Chiarelli’s request for approved medical leave, and Council’s ultimate refusal to grant that request on October 23, 2019, also give rise to a reasonable apprehension of bias.

The fact that Councillor Chiarelli ultimately required open-heart, multiple by-pass surgery on December 13, 2019 is “proof positive” of the completely unjustifiable actions of Council, in refusing approved leave to their clearly sick colleague.



### **Concurrent Investigative Process**

We would also confirm that workplace investigator, Audrey Lizotte, has been formally engaged by the City, on a concurrent basis, to investigate allegations of improper conduct raised against Councillor Chiarelli. Our client was advised of this investigation on August 16, 2019, but he was only provided with meaningful particulars of the allegations on January 21, 2020 -- while he was convalescing from his open-heart surgery.

It is now apparent that there is considerable duplication and overlap between Ms. Lizotte's investigative mandate and the IC's investigative mandate.

It is submitted that this is entirely vexatious and inappropriate, and that it is indicative of a concerted attempt, by Council or certain members of Council, to overwhelm and/or "out-resource" Councillor Chiarelli -- at a time when he is fighting for his life.

### **Refusal To Reimburse Legal Fees**

It seems apparent that Council, or certain members of Council, have also actively interfered with Councillor Chiarelli's attempts to claim legitimate reimbursement of legal expenses related to the IC investigation.

The Code of Conduct specifically provides that Councillor Chiarelli is entitled to charge legal fees, related to the ongoing IC investigation, to his office budget:

2. If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any City work location relevant to the complaint for the purpose of investigation and potential resolution.
  - a. The Member who is the subject of the investigation may consult with a lawyer and charge this to their office budget. If the complaint is determined to have merit, the Integrity Commissioner may require the Member to reimburse these expenses to the City. If the subject of the investigation of a citizen member of the Transit Commission, the costs may be expensed to the Council administration budget through the Clerk's office.

We confirm that Councillor Chiarelli submitted a request for legal expense reimbursement **sixteen (16) weeks ago**, on October 22, 2019. To date, the City has completely failed and/or refused to process that request.

On November 21, 2019, City Solicitor, David White, sent the following letter in respect of the request for reimbursement.



November 21, 2019

Mr. Sevigny,

The City Clerk's Office is in receipt of a request for payment of a Statement of Account dated October 22, 2019, rendered by your firm in relation to "Employment Advice", in the amount of \$11,593.80. The request is that the payment be attributed to the Constituency Services Budget for Councillor Chiarelli.

In accordance with the City of Ottawa's Council Expense Policy, the Constituency Services Budget is made available to Members of Council in order to provide them with the funds necessary to carry out their statutory duties as elected officials. It is not available in respect of matters that are personal to councillors, in their private capacities. That said, in accordance with the Complaint Protocol adopted by City Council as part of the *Code of Conduct for Members of Council*, a Member who is the subject of an investigation by the Integrity Commissioner "may consult with a lawyer and charge this to their office budget." I have attached copies of the *Policy*, as well as the *Code of Conduct*, for ease of reference.

In order to help me determine whether this provision might apply to all or part of the legal expenses submitted, can you please confirm – on a confidential basis – that your client is the subject of an investigation under the City's *Code of Conduct for Members of Council* and, if so, the date on which he received notice of same?

Thank you, in advance, for your assistance.

**DAVID G. WHITE**  
City Solicitor | Avocat général  
Legal Services | Services juridiques  
Innovative Client Services Department | Services novateurs pour la clientèle

City of Ottawa Innovative Client Services Department 3 <sup>rd</sup> Floor 110 Laurier Avenue West Ottawa, ON K1P 1T1 ottawa.ca Direct Line (613) 300-2424 Ext. 21925 Fax (613) 560-1383 E-Mail: David.white@ottawa.ca	Ville d'Ottawa Services novateurs pour la clientèle 3 <sup>e</sup> étage 110, avenue Laurier Ouest Ottawa (Ontario) K1P 1T1 ottawa.ca Ligne directe (613) 300-2424 poste 21925 Télécopieur (613) 560-1383 E-Mail: David.white@ottawa.ca
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It is very difficult to accept this letter as anything more than a further act of obstruction, that raises serious questions about the direction that City staff is receiving, in relation to the IC investigation involving Councillor Chiarelli.

To be clear, it is respectfully beyond belief that the City Solicitor would require confirmation, in late November, 2019, that Councillor Chiarelli was the subject of an investigation under the City's Code of Conduct. In addition to having been the source of widespread press coverage since early September, it is a matter of record that the City Solicitor had been formally advising Council on matters related to the IC investigation at least a month earlier.

CBC

Thirteen women have now told CBC about inappropriate behaviour and comments by Chiarelli in his office and during job interviews. Chiarelli has denied all allegations.

Before the vote, city solicitor David White warned councillors not to take the allegations against Chiarelli into account when making their decision about the councillor's leave.

But that didn't stop Mayor Jim Watson from speaking his mind after the council meeting.

"There's a lot of important issues we're dealing with and Coun. Chiarelli's ward does not have a voice. We're trying our best to do so through two members of council filling in, but as you saw today, there's precious little support for Coun. Chiarelli," Watson said Wednesday.

In any event, a prompt response was sent to Mr. White:

**seigny dupuis** 

labour and employment lawyers

November 25, 2019

Strictly Confidential/By Electronic Mail

David G. White  
City Solicitor  
City of Ottawa (City Hall)  
110 Laurier Ave. West  
Ottawa ON K1P 1J1

Dear Mr. White:

Re: Councillor Rick Chiarelli

Thank you for your correspondence dated November 21, 2019, related to Councillor Chiarelli's request that this firm's account dated October 22, 2019 be paid out of our client's Constituency Services Budget.

I confirm that Councillor Chiarelli is the subject of an investigation under the City's Code of Conduct for Members of Council.

Councillor Chiarelli was first notified by the City Clerk's office on August 16, 2019 that he was the subject of some type of formal investigation. Our client was advised, at that time, that the jurisdiction/forum issue was still being sorted out.

By letter dated August 20, 2019, we requested full particulars from Tyler Cox, including the details of any City policy that had been triggered by the complaint and/or investigation.

On September 12, 2019, the CBC reported that a formal complaint had been filed against Councillor Chiarelli on July 2, 2019.

This firm was first retained by Councillor Chiarelli on July 22, 2019. All of the advice that we have provided, to date, relates to allegations and/or issues that are related to the current investigation under the City's Code of Conduct for Members of Council.

Yours very truly,



D. Bruce Seigny

cc: Councillor Chiarelli

220 Hunt Club Rd.  
Suite #204  
Ottawa, ON K1V 1C1  
P 613-761-4459  
F 613-761-4471  
seignidupuis.com

Having regard to the clear wording of the Code of Conduct, the City's obvious and detailed knowledge of the existence of the IC investigation against Councillor Chiarelli, and the clear and express confirmation from counsel, that the expenses were legitimately and properly incurred,

there can be no justification for the fact that the City continues to withhold this requested reimbursement.

Of course, our client's concerns over this issue were only heightened by the recent disclosure that the IC has not faced any similar difficulties or challenges in obtaining appropriate financial resources to pursue his investigation against Councillor Chiarelli:



## Ex-RCMP boss billed \$116K for sleuthing as integrity commish looks into Rick Chiarelli allegations

A firm retained by Ottawa's integrity commissioner billed more than \$116,000 for investigative services, as the city looks into allegations against Coun. Rick Chiarelli.

It is our client's recollection that past IC investigations have cost no more than \$20,000.00.

It seems apparent to Councillor Chiarelli that Mayor Watson and other members of Council have pre-determined their preferred outcome for this IC investigation. It seems apparent to Councillor Chiarelli that Council, and/or agents of Council, have provided virtually limitless resources to the IC, to use at his discretion in the pursuit of his investigation, while at the same time deliberately withholding funds that are properly reimbursed to Councillor Chiarelli.

Council has refused to approve a medical leave that was medically justified. Council has refused to reimburse legal expenses that are legitimately and properly reimbursed under the specific provisions of the Code of Conduct. Council has permitted the initiation and/or continuation of a second, formal and duplicative, investigative process against Councillor Chiarelli, involving many of the same allegations, in a fashion that would reasonably be expected to cause additional expense and inconvenience for Councillor Chiarelli, at a time when he continues to recover from life-threatening heart surgery.

It is submitted that these actions reflect further bias, and/or that they give rise to a reasonable apprehension of bias.

**Formal Request for Stay and/or Termination of Investigative Proceedings**

Councillor Chiarelli hereby formally requests that the IC and/or Council formally declare that the investigative processes that have been put in motion against our client have been irreparably damaged by the aforementioned actions of the Mayor and/or other members of Council, and that Councillor Chiarelli has been subjected to bias and/or a reasonable apprehension of bias in his attempt to respond to the allegations that have been raised against him.

Councillor Chiarelli also requests that these investigative processes be stayed and/or terminated for the same stated reasons.

Should the IC and/or Council decline to grant this requested relief, we ask that full and detailed reasons be provided in writing, making specific reference to the points raised in this correspondence, and to the various statements and actions of Council, so that there is a full and proper record for any future judicial review proceedings.

Yours very truly,

A handwritten signature in black ink, appearing to read 'D. Bruce Sevigny', is written over a printed name. The signature is stylized and cursive.

D. Bruce Sevigny

**Appendix 8 - Communication to Respondent's legal counsel (February 12, 2020)**

February 12, 2020

**Strictly Confidential/By Electronic Mail**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Councillor Rick Chiarelli**

I am responding to your letter of February 11, 2020.

First let me express my concern that you and your client have made this communication a public communication. To protect the integrity of my investigations, please consider this reply as privileged, confidential and without prejudice.

The issues raised in your letter are outside my jurisdiction.

I want to inform you that your request for me to stand down in this inquiry is declined.

Following on my correspondence of January 7, 2020, I confirm my interest in interviewing the Councillor and seek confirmation on his willingness to participate or not. Please provide a date and time for the interview by **5 pm on Monday, February 17, 2020.**

Regards,



**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

Office of the Integrity Commissioner  
City of Ottawa  
1<sup>st</sup> Floor  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1  
[www.ottawa.ca](http://www.ottawa.ca)

Direct Line (613) 580-2424  
Ext. 21978  
Fax (613) 580-9609  
[integrity@ottawa.ca](mailto:integrity@ottawa.ca)

Bureau du Commissaire à l'intégrité  
Ville d'Ottawa  
1<sup>er</sup> étage  
110, ave. Laurier ouest  
Ottawa (Ontario) K1P 1J1  
[www.ottawa.ca](http://www.ottawa.ca)

Ligne directe (613) 580-2424  
poste 21978  
Télécopieur (613) 580-9609  
[integrite@ottawa.ca](mailto:integrite@ottawa.ca)

**Appendix 9** - Communication from Respondent's legal counsel (February 27, 2020)



February 27, 2020

**Strictly Confidential/By Electronic Mail**

Robert Marleau, C.M.  
Office of the Integrity Commissioner  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

Dear Mr. Marleau:

**Re: Councillor Rick Chiarelli**

I am writing in response to your email correspondence dated February 20, 2020, wherein you pressed for confirmation that Councillor Chiarelli will agree to participate in your investigation.

Unfortunately, the question that you have posed is not one that can be properly answered with a “yes or no” response. Councillor Chiarelli is prepared to participate in any investigative process that is fair and balanced, but he is not able to properly assess the reasonableness of any interview request until he has been medically cleared to return to work by his treating physicians.

On this issue, please find attached copies of two new medical notes, that confirm that our client has been advised to remain off work until at least March 24, 2020, at which time he will be reassessed.

In due course, Councillor Chiarelli will want to understand the current scope of the investigation (ie. is the investigation limited to the formal complaints that have been filed, or has your investigative mandate been broadened?). Recent press coverage has suggested that more than \$116,000.00 was spent by your office, on external investigative resources, during the last three (3) months of 2019. It would be appreciated if you could please confirm the accuracy of these reports, and, if accurate, if you could indicate whether that level of expenditure (which seemed surprising and unprecedented to Councillor Chiarelli) is in any way related to such a broadening of your investigative mandate.

Also, if your investigative mandate has been broadened to include Code of Conduct issues or allegations involving other members of City Council, it would be helpful to know that as well.

We would also ask that you take immediate steps to ensure that Councillor Chiarelli is permitted to charge legal fees, related to the Code of Conduct investigations, to his office budget, as specifically provided for in the Code of Conduct.

As you are aware, this firm provided written confirmation to City Solicitor, David White, on November 25, 2019, attesting to the legitimacy of the legal expenses submitted to date, and yet the City continues to refuse to reimburse those expenses.

We confirm that it is our client's position that enforcement of this provision of the Code of Conduct falls squarely within your mandate, and we are asking for your immediate intervention. Solicitor White's attempt to look behind and/or second-guess the previously-confirmed legitimacy of the expenses is inconsistent with the Code of Conduct, and presents as an inappropriate attempt to receive details, related to our firm's legal advice and professional relationship with Councillor Chiarelli, that are clearly protected by solicitor/client privilege.

Yours very truly,

A handwritten signature in black ink, appearing to read "D. Bruce Sevigny". The signature is written in a cursive style with a large initial "D" and "S".

D. Bruce Sevigny

cc: Councillor Chiarelli

Attachments: Updated medical reports

**Appendix 10** - Summons issued under Section 33(1)(3) of the *Public Inquiries Act*

Form 1  
Public Inquiries Act, 2009

Prescribed Form of Summons Under Subsection 33(4) of the Act

Municipal Act, 2001

(Name of Act under which proceeding arises)

SUMMONS BEFORE Robert Marleau (or his delegate)

(Name of body or individual)

TO Rick Chiarelli

Name

[REDACTED]

Address

**(For Evidence on Oath or Affirmation)**

YOU ARE REQUIRED TO ATTEND to give evidence on oath or affirmation in this proceeding on:

2020/04/06 at 10:00 a.m.

Date (yyyy/mm/dd)

Time

at Legislative Services Boardroom (1st floor, Heritage Bldg) Ottawa City Hall

Place

YOU ARE REQUIRED TO BRING WITH YOU and produce at the proceeding the following documents and things: (set out the nature and date of each document and give sufficient particulars to identify each document and thing.)

•

IF YOU FAIL TO ATTEND OR TO REMAIN IN ATTENDANCE AS THIS SUMMONS REQUIRES, THE DIVISIONAL COURT MAY ORDER THAT YOU BE PUNISHED IN THE SAME MANNER AS FOR CONTEMPT OF THAT COURT.

**(For Production of Documents and Things)**

YOU ARE REQUIRED TO PRODUCE at the proceeding on \_\_\_\_\_ at \_\_\_\_\_

Date (yyyy/mm/dd)

Time

at \_\_\_\_\_

Place

the following documents and things: (set out the nature and date of each document and give sufficient particulars to identify each document and thing.)

•

IF YOU FAIL TO PRODUCE THE DOCUMENTS AND THINGS THIS SUMMONS REQUIRES, THE DIVISIONAL COURT MAY ORDER THAT YOU BE PUNISHED IN THE SAME MANNER AS FOR CONTEMPT OF THAT COURT.

(Name of body or individual)



Signature by or on behalf of body or individual

2020/03/04

Date (yyyy/mm/dd)

Note: You are entitled to be paid the same fees or allowances for attending at or otherwise participating in the proceeding as are paid to a person summoned to attend before the Superior Court of Justice.

**Appendix 11** - Communication to Respondent's legal counsel (February 28, 2020)

February 28, 2020

**PRIVATE AND CONFIDENTIAL**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Councillor Rick Chiarelli**

Thank you for your letter of February 27, 2020 in response to my correspondence of February 20, 2020.

It is regretful that Councillor Chiarelli cannot at this time “properly assess the reasonableness of any interview request” due to his medical condition.

It seems to me that prior to his medical challenges, he was quite able to assess his response to the notices that were issued on the 5 complaints last September and October (September 17, 2019; September 20, 2019; October 9, 2019; October 10, 2019; October 15, 2019). At that time, he took the position that he intends to pursue judicial review over the jurisdiction of the Integrity Commissioner. He restated this position again in your letter of February 11, 2020.

At this stage, it remains unclear whether Councillor Chiarelli intends to participate in the investigation.

With that said, I thank you for and take note of the medical certificates advising of the March 24, 2020 medical reassessment date.

Nevertheless, since Councillor Chiarelli will not agree to voluntarily attend an interview, please be advised that I will issue, under separate cover, a summons for your client to

attend an interview on April 6, 2020. As per your earlier request that I send all correspondence on behalf of your client, **please confirm your agreement to accept the summons on your client's behalf.**

As to the scope of my inquiry, it continues to be focused on the 6 complaints for which you have received notice. I have no comment about the costs of the investigation to date. The press coverage followed from a request made under MFIPPA, and I have no comment to make thereon.

As to the issue of reimbursement of legal fees, I respectfully refer you back to the City Clerk and the City Solicitor. The Council Expense Policy is administered by the City Clerk and legal invoices are taxed by the City Solicitor.

Section 9.2. a) of the Complaint Protocol states:

“The Member who is the subject of the investigation may consult with a lawyer and charge this to their office budget. If the complaint is determined to have merit, the Integrity Commissioner may require the Member to reimburse these expenses to the City.”

Therefore, my role and jurisdiction in this matter only arises if I determine that a complaint has merit as I may require reimbursement of said fees claimed. What transpires before that is outside my remit.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Marleau". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

**Appendix 12 - Affidavit from process server**



AFFIDAVIT OF SERVICE - (PERSONAL)

Court File No:

(Court)  
PUBLIC INQUIRIES ACT, 2009

BETWEEN:


SERVICE OF SUMMONS :

RICK CHIARELLI



AFFIDAVIT OF SERVICE

I, Jay Fox Deputy Bailiff of the City of Ottawa, in the Province of Ontario  
MAKE OATH AND SAY (or AFFIRM)

1. on **March 16, 2020** at **11:30 A.M.** I served **RICK CHIARELLI** with the **SUMMONS TO WITNESS AND ATTACHMENTS** by leaving a copy with him/her at  **ONTARIO.**

2. I was able to identify the person by means of **Admission.**

SWORN before me at the City of Ottawa  
in the Province of Ontario  
on April 6, 2020

*William Stuart Kilrea, a Commissioner,  
etc., City of Ottawa, for Kilrea Bailiff &  
Process Servers, and for Process  
Serving and Residential Tenancies Act,  
2006 matters only  
Expires November 3, 2022*

A handwritten signature in black ink, appearing to read "Jay Fox", written over a horizontal line.

Jay Fox Deputy Bailiff

**Appendix 13 - Communication to Respondent's legal counsel (March 20, 2020)**

March 20, 2020

**PRIVATE AND CONFIDENTIAL**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Notice of Postponement**

In light of the ongoing measures in place associated with the COVID-19 pandemic, this notice is to advise that the summons served on your client, Councillor Rick Chiarelli, on March 17, 2020 has been postponed *sine die*.

I will be in touch in the fullness of time.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Marleau". The signature is fluid and cursive, with the first letter of "Robert" being a large, stylized capital "R".

**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

**Appendix 14 - Communication to Respondent's legal counsel (April 14, 2020)**

April 14, 2020

**PRIVATE AND CONFIDENTIAL**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Councillor Rick Chiarelli**

I am writing with an update respecting an interview with your client.

Since your communication of February 27, 2020, wherein you indicated that Councillor Chiarelli had not been medically cleared to return to work and was scheduled to be reassessed on March 24, 2020, I am aware that Councillor Chiarelli has been active in his role as City Councillor.

Specifically, Councillor Chiarelli participated in the regular City Council meeting of February 26, 2020 and the Special City Council meetings of March 26, 2020 and April 8, 2020. I am also aware that Councillor Chiarelli has given media interviews, including a personal video message released on March 22, 2020, been active on social media and resumed some of his constituency duties.

In light of the ongoing measures in place associated with the COVID-19 pandemic, this letter will serve as my notice that the summons served on your client is rescheduled to May 6, 2020 at 10:00 a.m. by teleconference.

Call-in details for the teleconference will be provided 48 hours prior to the interview.

**Please confirm if your client will participate in the interview.**

Sincerely yours,

A handwritten signature in black ink that reads "Robert Marleau". The signature is written in a cursive style with a large, looping initial "R".

**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

**Appendix 15 - Communication from Respondent's legal counsel (April 17, 2020)**

**From:** [Bruce Sevigny](#)  
**To:** [integrity / intégrité](#)  
**Subject:** RE: Councillor Rick Chiarelli  
**Date:** April 17, 2020 12:08:53 PM  
**Attachments:** [Rick Chiarelli Doc Note March 26 2020.pdf](#)

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Dear Mr. Marleau,

I am writing in response to your correspondence dated April 14, 2020.

Councillor Chiarelli continues to face very serious health challenges. On the very day that we received your recent correspondence, Councillor Chiarelli was (again) rushed to the Emergency Department. He has been diagnosed with another post-heart-surgery infection, and there is concern that he may have just suffered a form of stroke. He has a follow-up with the infectious diseases specialist next week, and he will now be referred to a neurologist for further assessment in relation to the stroke concern.

It is not clear to me why you continue to send correspondence directly to Councillor Chiarelli, when you are well aware that I am his lawyer. I am concerned that you are purposely attempting to aggravate my client, when you are well aware that he is facing life-threatening medical issues.

Please stop.

Please find attached a recent medical report, dated March 26, 2020, from the University of Ottawa Heart Institute. You will note that Councillor Chiarelli has now been advised to remain off work until at least June 29, 2020.

I note that this is at least the sixth (6<sup>th</sup>) formal medical report/note that Councillor Chiarelli has submitted, to authenticate the existence and seriousness of his medical challenges. Yet, in both your most recent correspondence, and your February 28<sup>th</sup> correspondence, you appear to engage in a form of partisan advocacy, that appears to question the legitimacy of Councillor Chiarelli's current and recent medical diagnoses.

If you have some personal professional qualifications, or independent medical evidence, that you believe place you in a better position to assess my client's state of medical fitness, than the physicians (including specialists) who have been treating him (and submitting the aforementioned medical reports/notes), I would appreciate receiving details of those qualifications and/or evidence.

Finally, I confirm that Councillor Chiarelli has never been properly served with any summons, as suggested in your recent correspondence.



Regards,

D. Bruce Sevigny  
Sevigny Dupuis LLP  
Labour & Employment Lawyers  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Tel: (613) 751-4459

Fax: (613) 751-4471

[bruce.sevigny@sevignydupuis.com](mailto:bruce.sevigny@sevignydupuis.com)

---

**From:** integrity / intégrité <integrity@ottawa.ca>  
**Sent:** April 14, 2020 1:50 PM  
**To:** Bruce Sevigny <bruce.sevigny@sevignydupuis.com>  
**Cc:** Chiarelli, Rick <Rick.Chiarelli@ottawa.ca>; rick@rickchiarelli.com  
**Subject:** Councillor Rick Chiarelli

**Sent on behalf of Mr. Robert Marleau, Integrity Commissioner:  
De la part de M. Robert Marleau, Commissaire à l'intégrité :**

Mr. Sevigny,

Please find attached correspondence for your attention.

Regards,

**Robert Marleau, C.M.**  
**Office of the Integrity Commissioner**  
**Bureau du commissaire à l'intégrité**  
110 Laurier Avenue West/Ouest  
Ottawa, ON K1P 1J1  
Direct Line/ Ligne directe (613) 580-2424 Ext./poste 21978  
Fax/ Télécopieur (613) 580-9609  
[integrity@ottawa.ca](mailto:integrity@ottawa.ca)/[integrite@ottawa.ca](mailto:integrite@ottawa.ca)

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**Appendix 16 - Communication to Respondent's legal counsel (April 24, 2020)**

April 24, 2020

**PRIVATE AND CONFIDENTIAL**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Councillor Rick Chiarelli**

I confirm receipt of your correspondence of April 17, 2020, in which, among other matters, you outline the Councillor's most recent medical emergency. I also confirm receipt of the medical note you attached to your correspondence. I acknowledge that the medical note, dated March 26, 2020, states the Councillor is required to remain off work until June 29, 2020.

I would like to clarify one matter with respect to medical notes. The medical note included in your April 17, 2020 correspondence is only the third medical note that has been shared with me and not six as stated in your correspondence. Prior to your update of last week, it was only your letter of February 27, 2020 which included two medical notes stating that Councillor Chiarelli was to be off work until March 24/25, at which time he was to be reassessed.

Based on your correspondence of February 27, 2020, including the information contained in the two medical notes provided on that date, and considering the Councillor's resumption of some of his duties as an elected official (e.g. attendance/participation in City Council meetings, communicating with constituents, giving an hour long media interview etc.), a summons was issued and an interview was

set for 1.5 weeks following the Councillor's anticipated return to work. This was before the state of emergency due to the COVID-19 crisis and, as a consequence thereof, I postponed the April 6 interview *sine die*.

*Councillor Chiarelli's decision not to participate in the investigation*

Notwithstanding the Councillor's medical challenges, I am of the view that your client has clearly demonstrated an unwillingness to participate in the investigation. I remind you that on October 10, 2019, you indicated that your client would not be responding substantively to any complaint that had been filed to date or that might be filed. On October 18, 2019, you were advised that if I did not receive an indication that the Councillor would participate by the deadline of October 29, 2019, I would proceed with my inquiry and conclude without your client's response.

Even so, in the spirit of procedural fairness, the Investigator reached out to your client for the purposes of an interview. It is regrettable that the Councillor has faced ongoing medical challenges since then.

You then advised on February 27, 2020 that your client was not well enough to advise whether or not he would participate in the process. We have repeatedly requested confirmation of this fact. Despite all of his other activities and ability to instruct you on other matters (such as refusing to accept service of the summons), you have been unable to obtain instructions about whether or not Councillor Chiarelli will participate in the process.

Since he refused to confirm either way, I proceeded to issue a summons. I am advised that it was served in accordance with the *Public Inquiries Act*. This is supported by a sworn affidavit from the process server. The process server further advised that four attempts were made before your client was properly served and that it appeared your client was trying to evade service. There is no doubt that the summons has come to

your client's attention and that he is wasting taxpayer funds if he takes any position to the contrary.

If Councillor Chiarelli had failed to attend on May 6, 2020 as summonsed, I would have had the option to apply to a court, under the *Public Inquiries Act*, to have Councillor Chiarelli held in contempt for his failure to comply with the summons. However, I have determined that I will not pursue this course of action as I do not intend to spend more taxpayers' money in an effort to compel the Councillor's participation. As a result, I will withdraw the May 6, 2020 summons, and cancel the interview. No further request for interviews will be made.

At this stage, I am required to provide City Council with a second interim report to inform Council of the additional delay in my investigation. The report will state the facts as they are today, including the lack of response to the complaints from your client, his stated intention not to participate in the inquiry, as related by you in your letter of October 10, 2019, and the Councillor's October 3, 2019 public denial of all allegations. I will also inform Council that I intend to file a report as soon as practicable.

This letter therefore serves as notice to your client that I will now rely on the Councillor's public statements as his response and denial of the allegations set out in the five formal complaints that form part of this inquiry. Accordingly, I will then formulate my findings and recommendations and report to Council in the fullness of time.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Marleau". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

**Appendix 17 - Communication from Respondent's legal counsel (May 12, 2020)**

**From:** [Bruce Sevigny](#)  
**To:** [integrity / intégrité](#)  
**Subject:** RE: Councillor Rick Chiarelli  
**Date:** May 12, 2020 10:16:51 AM  
**Attachments:** [jan.6.2020.willing.to.participate.pdf](#)  
[Feb27.2020.willing.to.participate.pdf](#)

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Dear Mr. Marleau,

I am writing in response to your correspondence dated April 24, 2020.

You make a point of confirming that only three (3) of the six (6) medical notes referenced in our recent correspondence have been shared with you. We can only assume that you are drawing some artificial distinction between medical notes that have been sent to you directly, and medical notes that have been fully disclosed and discussed at Council meetings that you have personally attended. Clearly, we are satisfied that you have a reasonable degree of familiarity with all of the formal medical evidence that has been submitted to date (and the serious post-surgery infections and complications that our client has faced), in support of Councillor Chiarelli's ongoing, and serious, medical challenges.

Your April 24<sup>th</sup> correspondence included the following remarkable assertion:

Notwithstanding the Councillor's medical challenges, I am of the view that your client has clearly demonstrated an unwillingness to participate in the investigation. I remind you that on October 10, 2019, you indicated that your client would not be responding substantively to any complaint that had been filed to date or that might be filed.

It is unsettling that you would purport to rely on the position set out in our October 10, 2019 correspondence, when you are well aware that we have formally confirmed a revised position, in terms of our client's willingness to participate in an interview when his health permits. Of course, I am referring to our communications dated January 6, 2020 and February 27, 2020 (copies attached for your ease of reference, and recollection).

We confirm that we previously declined to accept service of your summons, on our client's behalf, because we were not about to commit our client to attending an interview that ran contrary to his physicians' advice. As you must surely be aware, there is no obligation on counsel to accept service of this type of document on a client's behalf.

We confirm that Councillor Chiarelli deliberately avoided personal contact with unknown third parties, during the recent months of March and April, while he was in a vulnerable medical state, and the COVID-19 virus spread rampantly.

You have suggested that Councillor Chiarelli was trying to evade service. We would suggest that he was exercising sound and responsible judgment.

It is frankly unbelievable that you would send some process server to our client's house, at a time that fell squarely within the physician-endorsed recovery period referenced in the medical notes that were sent to you in February, and mere days after the World Health Organization had declared COVID-19 to be a global pandemic. This can only be regarded as a continuation of your reckless and defiant approach to Councillor Chiarelli's vulnerable medical condition.

Of course, it should be noted, for the record, that your office initiated direct communication with Councillor Chiarelli on December 10, 2019, requesting confirmation of his willingness to be interviewed at City Hall, under oath, between December 17 and 20, 2019, despite specific knowledge at that time that our client had been seeking approved medical leave.

On December 16, 2019, **three (3) days after Councillor Chiarelli underwent emergency open-heart surgery** (which was widely covered in the media) you sent us a further unsettling formal communication, that made no reference, whatsoever, to Councillor Chiarelli's obvious medical incapacity, offered no sign of compassion or offer of reasonable accommodation, but instead served to formally confirm your full intention to continue your investigation, undeterred, and "make a report available by January 31, 2020".

While you have subsequently revised your proposed schedule, there can be little mistake about the message you were trying to deliver after learning of our client's life-threatening medical crisis.

I confirm that we continue to be troubled by your apparent complete disregard for Councillor Chiarelli's health and well-being, by your repeated and apparent refusal to accept the opinions of qualified medical professionals, and by the combative, defiant, and clearly partisan tone of your continuing communications.

It is most troubling that someone in your position would deliberately suggest that Councillor Chiarelli was wasting tax payer's funds, by refusing to accept personal service of a summons, from a stranger, during a worldwide pandemic, when he is fighting for his life, and yet you appear to have no trouble, whatsoever, spending \$117,000.00 of tax payer's funds on questionably-qualified third-party investigators, who are purportedly pursuing an investigative mandate that has never been reasonably or satisfactorily defined or explained.

We have received instructions to move forward with the previously-referenced Application for Judicial Review, and we can now confirm that our client's "bias" allegations will include specific allegations related to your actions and comments, and the specific manner in which you have conducted this purported investigation.

Regards,

D. Bruce Sevigny



Sevigny Dupuis LLP  
Labour & Employment Lawyers  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Tel: (613) 751-4459  
Fax: (613) 751-4471

[bruce.sevigny@sevignydupuis.com](mailto:bruce.sevigny@sevignydupuis.com)

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**From:** integrity / intégrité <integrity@ottawa.ca>  
**Sent:** April 24, 2020 12:15 PM  
**To:** Bruce Sevigny <bruce.sevigny@sevignydupuis.com>  
**Subject:** Councillor Rick Chiarelli

**Sent on behalf of Mr. Robert Marleau, Integrity Commissioner:  
De la part de M. Robert Marleau, Commissaire à l'intégrité :**

Mr. Sevigny,

Please find attached correspondence for your attention.

Regards,

**Robert Marleau, C.M.**  
**Office of the Integrity Commissioner**  
**Bureau du commissaire à l'intégrité**  
110 Laurier Avenue West/Ouest  
Ottawa, ON K1P 1J1  
Direct Line/ Ligne directe (613) 580-2424 Ext./poste 21978  
Fax/ Télécopieur (613) 580-9609  
[integrity@ottawa.ca](mailto:integrity@ottawa.ca)/[integrite@ottawa.ca](mailto:integrite@ottawa.ca)

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**Appendix 18 - Communication to Respondent's legal counsel (May 12, 2020)**

May 12, 2020

**PRIVATE AND CONFIDENTIAL**

D. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road, Suite 204  
Ottawa, ON K1V 1C1

Mr. Sevigny,

**Re: Councillor Rick Chiarelli**

To be clear, neither you nor your client have committed to the Councillor's participation in this investigation when his health permits. I have repeatedly sought confirmation, and not once has it been clearly stated that your client will participate.

Contrary to your assertion that you and your client have formally confirmed a "revised position", I have only been advised that your client is committed to considering the request for his participation. In fact, the specific language in the communications you rely on is as follows [my emphasis added]:

- "...my client remains prepared to **consider the request** that he attend for an interview" (January 6, 2020)
- "Unfortunately, **the question that you have posed is not one that can be properly answered with a "yes or no" response**. Councillor Chiarelli is prepared to participate in any investigative process that is fair and balanced, but **he is not able to properly assess the reasonableness of any interview request** until he has been medically cleared to return to work by his treating physicians." (February 27, 2020)

I would also like to add that if your client had provided a firm commitment to participate or had authorized you to accept service on his behalf, the personal service of the summons would not have been necessary.

If it is in fact your client's intention to participate in the investigation, I require a firm and unequivocal commitment that Councillor Chiarelli will participate in the investigation as soon as he is medically cleared to do so.

**I formally request you confirm, in writing by 5 p.m. on Friday, May 15, 2020, that Councillor Chiarelli will participate in the investigation when he is medically cleared to do so.** In addition, I would like your commitment to provide any updates on your client's medical recovery that change the June 29<sup>th</sup> date identified on the most recent medical certificate.

As I indicated in my correspondence on April 24, 2020, I have provided City Council with notice of my intention to provide a second interim report on my ongoing investigation. If I receive your client's firm commitment to participate, I will advise Council of his agreement to participate and that my report will be delayed pending an interview with Councillor Chiarelli once he is medically cleared by his physicians.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Marleau". The signature is fluid and cursive, with a large initial "R" and "M".

**Robert Marleau, C.M.**  
Integrity Commissioner/Commissaire à l'intégrité

**Appendix 19** - Communication to Respondent's legal counsel (September 3, 2020)

September 3, 2020

**SENT VIA EMAIL** *bruce.sevigny@sevignydupuis.com*

Mr. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road  
Suite 204  
Ottawa, ON K1V 1C1

Dear Mr. Sevigny,

**Re: Councillor Rick Chiarelli  
Our File No. 51246**

On August 12, we attended a case conference with Justice Corbett held to set a timetable for your client's application for judicial review. On that call, you stated that Councillor Chiarelli would have no difficulty swearing an affidavit in respect of the application; however, you were waiting on the results of certain medical evaluations to determine whether he could participate in cross-examinations on the affidavit. You stated that it was your understanding that Councillor Chiarelli may have more difficulty with verbal memory, and thus be better placed to provide written evidence than to provide oral testimony. Finally, you stated that Councillor Chiarelli was scheduled to be evaluated by the relevant specialists over the following two weeks.

As you are aware, there are two complaints from former employees which remain the subject of an inquiry by the Integrity Commissioner (Notices of Inquiry were sent on September 20, 2019 and October 9, 2019). In light of your comments at the case conference, the Integrity Commissioner is prepared to hold an interview of Councillor Chiarelli in writing. We propose to send a list of approximately 50 questions and seek Councillor Chiarelli's response within one week. After review of those responses and only if deemed necessary, the investigator would provide clarification or follow up questions, which could also be answered in writing within one week of receipt.

If your client is prepared to consent to this process and to respond to the investigator's interview questions in writing, please let me know by no later than September 9, 2020.

Regards,



Julia Wilkes  
JW/mpe

**Appendix 20 - Correspondence from Respondent's legal counsel (October 30, 2020)**

October 30, 2020

Via Electronic Mail ([JWilkes@agblp.com](mailto:JWilkes@agblp.com))

Ms. Julia Wilkes  
Adair Goldblatt Bieber LLP  
95 Wellington St. W, Suite 1830  
Toronto, ON M5J 2N7

Dear Ms. Wilkes:

**Re: Councillor Rick Chiarelli**

I am writing, on Councillor Chiarelli's behalf, in response to the draft "Final Report" that was forwarded by Mr. Marleau last week.

I confirm that Councillor Chiarelli remains medically unable to participate in this process.

I confirm, as well, that a Judicial Review Application has been formally commenced by Councillor Chiarelli, challenging Mr. Marleau's fairness, objectivity and impartiality, and that Application is currently scheduled to proceed before the Ontario Divisional Court on January 13, 2021.

It is surprising that Mr. Marleau would continue this process, given Councillor Chiarelli's well-documented medical issues, and the extremely serious issues that have been raised in the Judicial Review proceedings.

It is Councillor Chiarelli's position that Mr. Marleau has repeatedly demonstrated an egregious predisposition, and an apparent political agenda.

Mr. Marleau has ignored the opinions of Councillor Chiarelli's physicians, despite having no medical background.



Mr. Marleau has badgered Councillor Chiarelli, mere days following his open-heart surgery, and sent strangers to Councillor Chiarelli's home, during a world-wide pandemic crisis, despite specific knowledge that Councillor Chiarelli remained medically vulnerable.

Mr. Marleau has feigned sensitivity over the expenditure of public resources, but he has spent tens and tens of thousands of dollars on unlicensed investigators.

Mr. Marleau claims to have interviewed dozens of witnesses, but he has refused to identify a single one of those witnesses to Councillor Chiarelli.

With his recent, clearly calculated, use of such highly-charged terms like "grooming" and "Stockholm Syndrome", it appears that Mr. Marleau is now purporting to have expertise in the field of psychology.

Councillor Chiarelli looks forward to his day in Court, and he specifically reserves his right to pursue additional, appropriate legal action, based on damage caused to his reputation through the circulation of false and/or defamatory statements.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'D. Bruce Sevigny', with a stylized flourish at the end.

D. Bruce Sevigny

**Appendix 21 - Correspondence to Respondent's legal counsel (November 2, 2020)**

November 2, 2020

**SENT VIA EMAIL** *bruce.sevigny@sevignydupuis.com*

Mr. Bruce Sevigny  
Sevigny Dupuis LLP  
228 Hunt Club Road  
Suite 204  
Ottawa, ON K1V 1C1

Dear Mr. Sevigny,

**Re: Councillor Rick Chiarelli  
Our File No. 51246**

We have reviewed your letter dated October 30, 2020 and have two requests.

First, by **Tuesday November 3, 2020 at 5pm**, please confirm that your client will definitely participate in the Integrity Commissioner's process once his health permits him to do so. The Integrity Commissioner previously sought this confirmation in May, but Councillor Chiarelli did not respond to his letter.

Second, if your client confirms that he will indeed participate, we would like clarification about Mr. Chiarelli's current medical status and limitations, by no later than **Monday November 9, 2020**.

By letter dated September 3, 2020, on behalf of the Integrity Commissioner, I wrote to you and advised that the Integrity Commissioner was proposing an alternative process to allow Councillor Chiarelli to respond to inquiries in writing, rather than attend an in-person interview. The Integrity Commissioner did so in an effort to accommodate Councillor Chiarelli's medical condition and the difficulties that you mentioned at the August case conference related to his verbal memory.

We have since received and reviewed the reports exhibited in Lida Chiarelli's affidavit sworn September 24, 2020 included in Councillor Chiarelli's judicial review application record. In particular, we reviewed the most recent medical evaluations including Dr. Giaconne's letter dated September 16, 2020 and Dr. Gow's clarification letter dated September 21, 2020. We note that the report from the neurological assessment performed on August 21, 2020 was not exhibited to the affidavit. If this assessment answers the below questions, we would appreciate receiving a copy of that report.

We understand that, among other things, Councillor Chiarelli suffers from severe impairment to his processing speed and that he is impacted by stressful situations. In her letter, Dr. Gow states:

“In light of his current legal circumstances, Mr. Chiarelli has markedly reduced ability to provide an account of events, the likes of which may be required in swearing a detailed affidavit, and/or being able to recall this information at a later date on the basis of the neuropsychological findings. Conversely, if given sufficient time, and a non-stressful environment, his decision-making and long-term memory can be accessed.”

We have two questions about these statements:

- 1) What does Dr. Gow mean when she states: “and/or being able to recall this information at a later date on the basis of the neuropsychological findings”? This sentence is unclear, and we are left wondering whether Dr. Gow has opined that Councillor Chiarelli may never regain the ability to recall the information in response to the current legal circumstances.
- 2) Is it Dr. Gow’s opinion that Councillor Chiarelli is medically able to participate in a written interview process which would permit additional time for him to respond and to manage his stress as compared to an oral interview?

The Integrity Commissioner will continue to work to develop a process which accommodates Councillor Chiarelli’s illness. We ask you to provide the requested clarification by November 9, 2020 (or confirmation that you have sought such clarification from Dr. Gow or another qualified medical practitioner).

If you would like to discuss, please contact me at 416-351-2790.

Regards,

A handwritten signature in blue ink, appearing to read 'Julia Wilkes', with a stylized, cursive script.

Julia Wilkes  
JW/mpe

**Appendix 22** - Initial text messages between Complainant 1 and Respondent including arrangements for interview (December 11, 2018)



+1 (613) 852-7425 >

iMessage  
Tue, Dec 11, 6:02 PM

Hey! Do you know if you are booked or working on New Year's Eve?

Who is this

Lol! Rick, the politician

Oh hi, I'll be working but I'm no longer with Ralph's

Oh? Where are you?

East side Mario's

In bells Corners?

No the new one at Barrhaven

On Strandherd drive, close to



iMessage





+1 (613) 852-7425 >

On Strandherd drive, close to the Costco's

But if you are hosting a party I would be happy to bartend for you at a private event after my shift on New Year's Eve at eastsides

Oh. So I do you still want to know when we have small assignments we could hire you for? Or would you want to talk about whether it's possible for you to have a bigger role with us?

A bigger role such as what?

I don't know for sure but we have a few jobs

Sure I would be interested :)



iMessage





+1 (613) 852-7425 >

Sure I would be interested :)  
keep me posted.

Ok. We could meet sometime  
to talk about the good, the bad  
and the ugly of it

\*of it

Alright, I will contact you after  
Christmas and we can arrange  
a time to get together

Ok

Wed, Dec 12, 4:37 PM

Hi Rick, how are you? I actually  
had some space clear up on my  
schedule this week and was  
wondering if you'd like to get  
together for lunch possibly  
tomorrow or Friday?



iMessage







+1 (613) 852-7425 >

tomorrow or Friday?

How is tomorrow at 1pm. ?

Where will you be around then?

I will be close by my house,  
how does big rig sound to you?

Ok. What will you be wearing?

I will likely be in a suit but you  
don't have to be formal

I'll be dressed casually, big rig  
isn't that fancy lol.

True.

Btw what's your long term  
plan? And is everything we say  
confidential?



iMessage





+1 (613) 852-7425 >

Yes of course. My long term plan, well at the moment I'm planning to go back to school for culinary management with a minor in business and hopefully own my own restaurant one day

... or politics

:)

Well one feeds the other 😊

Politics is very different than most would believe

I suppose the politics I'm familiar with is workplace politics... Social orders and all that.



Not Delivered



iMessage





+1 (613) 852-7425 >

I'm always interested in new avenues, what is it exactly that you had in mind for me anyways?



Not Delivered

1pm

Text Message

1pm

Yes 1 pm

iMessage

Specifically

Yes 1 pm

See you there

Thu, Dec 13, 12:13 PM



iMessage





+1 (613) 852-7425 >

Sorry but our meeting (to opt-in or opt-out of allowing pot stores) is dragging on and I won't make our meeting on time. Can we bump it to another time-ASAP?

For when

Today or another day?

The way it's looking, I guess another day or tonight. Tomorrow?

Tonight would work, what time

?

I'm checking

9pm?



iMessage





+1 (613) 852-7425 >

I'm checking

9pm?

Ok sounds good.

9pm, big rig.

Yes

Thu, Dec 13, 9:09 PM

Are you here?

Yes, I have been for a little bit now

Thu, Dec 13, 11:51 PM

I forgot to tell you one other requirement. Can you call for 1 minute?



iMessage



**Appendix 23** - Respondent text to Complainant 1 arranging to speak over the phone following interview (December 13, 2018)



+1 (613) 852-7425 >

I'm checking

9pm?

Ok sounds good.

9pm, big rig.

Yes

Thu, Dec 13, 9:09 PM

Are you here?

Yes, I have been for a little bit now

Thu, Dec 13, 11:51 PM

I forgot to tell you one other requirement. Can you call for 1 minute?



iMessage



**Appendix 24** - Respondent cell phone records showing call with Complainant 1 shortly after text message



67	Thu Dec 13 03:37 pm		OTTAWAHULL ON	INCOMING	4:00	-	-	-	-	0.00
68	Thu Dec 13 03:46 pm		OTTAWAHULL ON	OTTAWAHULL ON	1:00	-	-	-	-	0.00
69	Thu Dec 13 03:50 pm		TORONTO ON	OTTAWAHULL ON	1:00	-	-	-	-	0.00
70	Thu Dec 13 04:52 pm		OTTAWAHULL ON	INCOMING	4:00	-	-	-	-	0.00
71	Thu Dec 13 11:55 pm		OTTAWAHULL ON	OTTAWAHULL ON	3:00	-	-	-	-	0.00
72	Fri Dec 14 12:30 pm		OTTAWAHULL ON	INCOMING	4:00	-	-	-	-	0.00
73	Fri Dec 14 02:37 pm		OTTAWAHULL ON	INCOMING	32:00	-	-	-	-	0.00
74	Fri Dec 14 03:10 pm		OTTAWAHULL ON	INCOMING	1:00	-	-	-	-	0.00
75	Fri Dec 14 03:29 pm		OTTAWAHULL ON	OTTAWAHULL ON	10:00	-	-	-	-	0.00

**Appendix 25** - A text message from Respondent to Complainant 1 wherein the Respondent refers to their previous conversation (when she was first hired) about random networking events (December 21, 2018)



+1 (613) 852-7425 >

I was referring to the original plan, way back when you had just been hired. That plan was to do random networking at the bar tomorrow night - something we will no longer do tomorrow night but we will do that on a different Saturday.

Ahhhh ok

I had actually forgotten about that. And while I'll of course do random networking, I feel very enthusiastic about actual issues

The meeting today kind of touched my heart a little

Good. That will be even more true when you see people trying to sabotage us on these



iMessage



**Appendix 26** - Text messages between Respondent and Complainant 1 arranging to meet for a second interview (December 14, 2018)



+1 (613) 852-7425 >

TH, DEC 14, 9:00 AM

Good morning. 1st question: are you still all-in on this?

Good morning. Yes I am.

Great! I woke up and realized that since it progressed much more quickly than I had guessed, there was a bunch of things I should have told/asked you before Monday. So we should meet again, not for as long, between now and your badging OR change our schedule so we meet Monday at the time we originally set for badging and bump the badging to later. And [REDACTED] will want to meet you the second she finds out - but that can't happen until after we have this next meeting I just told you about.

Also, what shirt size works best



iMessage





+1 (613) 852-7425 >

meeting I just told you about. Also, what shirt size works best for you (not baggy)? I have to get you an RC T-shirt

I'm usually a small. We can meet tomorrow evening if that works for you? I'm fairly eager to get started so if our schedules align I'd rather not have to bump the badging.

Ok. Let me check out my schedule

Alright sounds good.

Fri, Dec 14, 1:20 PM

So yes to tomorrow night. I will now verify times

Alright sounds good.



iMessage





+1 (613) 852-7425 >

Alright sounds good.

Sat, Dec 15, 4:58 PM

Hi there, what time are we meeting tonight?

How is 9? Where will you be OR coming to or from?

9 is fine, I will be home so we can meet close by there again if that works for you

Ok. What street are you in again?



Sat, Dec 15, 8:46 PM

I'm here. When you come in, serve left



iMessage





+1 (613) 852-7425 >

I'm here. When you come in, serve left

Text Message

I'm here. When you come in, serve left

iMessage

Sun, Dec 16, 12:31 AM

I am pretty ecstatic that you told me what you told me. Most would have hidden it to protect them. You told me to protect me. That shows you understand loyalty.

Thank you for acknowledging that, it was scary for me to tell you but I want to be transparent and move forward with mutual trust.



iMessage





**Appendix 27** - Initial Facebook messages between Respondent and Witness 1 (August 27, 2017)



**Rick Chiarelli**  
Messenger



# Rick Chiarelli

Lives in Ottawa, Ontario

6 mutual friends including

Rick added you on Messenger.



What are you doing these days?

You can now call each other and see information like Active Status and when you've read messages.

Working away...same old same old

2017-08-27, 11:27 PM



At what? Any community activity?



Aa



**Rick Chiarelli**

Messenger



Nope too busy with work work

Managing

2017-08-27, 11:46 PM



Anything political? Or PR - like?

Well I manage a restaurant so yes PR is pretty much my entire job



This is true. My parents used to run one. They said it was easier to run a dozen travel agencies (which they did) than one restaurant

Oh yes it's tough work



So is politics. Someday you should try that too



Aa



**Rick Chiarelli**

Messenger



I certainly have the smile and the charm for it 😊

Well since I do it, you don't need nearly as much as you think



Hahahahaha

How do you enjoy politics ?

It is fun. Great for a sense of accomplishment when we get something to pass or when we help people. But frustrating when our opponents sabotage good projects that would benefit people, not because they disagree with us, but only to ensure we don't get another success.



Aa



**Rick Chiarelli**

Messenger



Yes I imagine that would be greatly frustrating

But you get to be like an ad person, a public relations person, a policy analyst, a secret agent, a therapist and a script writer all at once

Nobody can ever be ready for politics before they enter it



I don't know that sounds pretty much like how I conduct my orchestra every day



That's interesting



At least our opponents are obvious?

Well I have a staff of all ages most of whom are intellects and



Aa



**Rick Chiarelli**

Messenger



social manipulators, hence why they're driven to an industry of selling commodities to people of all varying walks of life, I have the guest with deferring demands and expectations and my role to ensure their satisfaction while simultaneously maintaining staff morale, I have to food to produce that is consistent and quality, Events to plan and run, theft on both the guest and staff end to monitor, inventory, par levels, ordering...a high profile boss to please....sounds like  
Politics to me

It kind of does actually

Sounds like a political staffer for sure

I don't know how my profile



Aa





**Rick Chiarelli**

Messenger



compares to the boss'

My boss?



Yes

Oh well he's quite the incredible human



In general that is a very good political answer



😊 I'm very good at being political



Maybe it pays better than politics:)

Doubtful



Aa





**Rick Chiarelli**

Messenger



Give me a number

Ball park



I'm sworn to secrecy

Of what restaurant management pays?



Yes. In general

35,000



Ok we pay a bit more than that

40,000 pretty much max unless you work for a corporation but then you do 60-70 hours a week

But in our business staffers send me texts at all hours. Ok usually they are memes or



Aa





**Rick Chiarelli**

Messenger



usually they are memes or jokes but sometimes they have ideas or opinions ... some of them even sound good the next day



Hahahahaha I'm 24/7 365 to my job so I hear you

Oh most politicians only hire people who have studied political science but I stopped doing that a decade ago (I was first elected when I was a teenager so I have been in this for years and years- although I am far from being the oldest in this)

Poli Sci people always think they know my job better than me

Now I look for traits, not degrees



Aa



**Rick Chiarelli**

Messenger



degrees



And it works

Yes my back ground is psychology and I've always had a natural propensity towards understanding human behaviour (actions, reactions, characterization, qualities etc.) and psych people drive me nuts. So many students now who think their text books taught them the ability to read and understand minute behaviour changes etc.

When I interview people I have conversations with them, I try to get a feel for the kind of person they are not what skills they bring to the table. Anyone can manipulate a resume and I can teach skills, what I can't teach are genuine qualities that make



Aa



**Rick Chiarelli**

Messenger



are genuine qualities that make  
for excellent servers

Exactly. And temperament  
and attitude

Manipulation is excellent but  
it must be done FOR us,  
never TO us



Oh agreed. Manipulation is a  
natural quality in human  
interaction, but it must be used  
effectively and for the greater  
"good"

Temperament also. So few  
people have a proper  
temperament these days. It's  
incredible. The amount of  
frustrating, difficult, demanding  
things I deal with every day is  
exceptional. If I went around  
losing my temper or control or



Aa



**Rick Chiarelli**

Messenger



losing my temper or control or ability every time something happened I would fail miserably at my career

Yes. And also, I don't want people who are too sensitive to bad comments by others. That makes life hard. And don't you love really stupid job applications? Some of them are so funny that I think there should be a segment on late night talk shows about them 😊



Oh my goodness yes! To both of those statements.

And another way our business is probably like yours (only yours may even be more extreme) is people somewhat sexually harassing



Aa



**Rick Chiarelli**

Messenger



women. (Not by me! 😊 )  
But most here say there is no point in making a big issue out of it for many of the same reasons your in business ?



When someone comes in off the street and makes comments etc they say there is just no reason to drag it out



The business I am currently in holds very few actual standards on how it does vs should react to such issues. Probably the reason I so patient. I have seen a lot more than a person should. I've been and witnessed sexual harassment from every angle in this industry, bosses for position advancement, co workers for the sake of it, guests because they think as



Aa



**Rick Chiarelli**

Messenger



this industry, bosses for position advancement, co workers for the sake of it, guests because they think as an intoxicated "type A, leader of the pack" male they hold some for of right to speak to women however they so choose and realistically, no one does anything about it and they know that....

Well if it is significant, and if the woman wants me to, I can handle it in some unconventional ways 😊



Restaurants, clubs and bars are seedy. They make you very thick skinned

Those are the ways we've learned to keep ourselves safe



Aa



**Rick Chiarelli**

Messenger



That helps in politics though



Connections, unconventionality  
and awareness help in all  
industries

True. Some women, with only  
schooling and little  
experience, also have a  
problem here with the  
"chameleon" identity they  
sometimes need to assume  
for events we go to



Masks



I mean

You need to be a jack of all  
trades and a master as well as a  
professional female



Aa



**Rick Chiarelli**

Messenger



Know what card to play at all times

I mean, for esamoke, one staffer, in one night, dressing and acting to stand out at a pig roast in Fitzroy and then later that night being refined at the library gala and then still later, being "that girl" at a event at a club/bar. All while keeping to the mission which is often not obvious to anyone else at the venues.



Very difficult task for most women. Like Me...having to be firm, fair and consistent with staff, but soft with a table of women in one minute and then viewed as a manager and not as a sexual being by a table of men the next, finding the knowledge and



Aa





**Rick Chiarelli**

Messenger



SKILL set to be respected by my  
male

Counterparts while conducting  
the whole thing seamlessly so  
everyone sees me as relaxed  
and In control at all times

So a different person every 5  
minutes. Sounds ideal 😊 But  
even if the staffer is no good  
at that, what I hate most is  
when they ask me what I  
think they should wear, I tell  
them, and then they get all  
offended ...because it isn't  
what they were thinking.

Sorry for mixing two replies  
there



Hahahahaha women are silly

Attire is entirely part of the role

No need for offence



Aa



**Rick Chiarelli**

Messenger



And I know what works

Of course you've been at the game a long time

And in many cases, a female can manipulate males that way. Because guys are often stupid or at least temporarily stunned



And because they like to brag to women

Yes entirely. I rely on my intellect and wit first and foremost always, but to every man I professionally encounter I have marked them and figured out who they "want" me to be before they ever interact with me  
And if that means eye contact, delicate femininity, a gentle



Aa



**Rick Chiarelli**

Active 14h ago



Sometimes pretending to be drunk does it too 😊

Oh yes

Sometimes lots of things work. It's like being a geisha



Yes it is. How long have you been where you are now?

2.5 years



And before that?

Just a lot of restaurants. Back to back supervisory and management positions for the last few years. I like the industry for its intricacies and for the way you must be constantly monitoring and altering your surroundings, but the more time of it, the more



Aa



**Rick Chiarelli**

Active 14h ago



I've grown tired of its physical demands and extensive hours and not so awesome pay 😊

Not committing to anything here (and this is not the way I thought this interaction would head), but would you like to meet (secretly, of course) to discuss what might be possible with us?



Certainly. I'm always open to discussions and opportunities

Ok. This could be good. You have a lot of solid assets. I suspect you have a very limited knowledge local politics but I have an easy routine we would put you on which would fix that (using only 30 minutes a day) in 6 weeks.



Aa



**Rick Chiarelli**

Active 14h ago



Limited but definitely not non-existent. Being that my boss is so high profile I am often taken along to all kinds of events, political ones included. Plus I have extreme faith in my intellectual ability

The best part of our jobs is you can grow in them and there is room for advancement and new horizons (and tons of contacts)



One thing I have been lacking for many years. I can excel greatly when given the ability

And politics is very personal. We are in a war together. So loyalty is absolute. As is confidentiality



Aa





**Rick Chiarelli**

Active 14h ago



Then I appreciate your understanding of my necessity for secrecy at this time. I am very loyal to my boss.



It's [REDACTED] right?

Yes



Don't worry about me on this.

Thank you



Do you live downtown?

Yes

Ok so we could meet at [REDACTED] or something



Not in the market

That would be ideal



Aa





**Rick Chiarelli**

Active 14h ago



Except not ██████████ as their  
██████████ is an old manager from  
██████████



Oooops

I know a lot of people

How is ██████████ whatever it is?  
Or or or or

Well don't talk to any of them  
about this



/)



Wait , I am just assuming late  
at night is best for you for a  
meeting



I'm off mon and tues



Aa



**Rick Chiarelli**

Active 14h ago



All the time



Well Monday (tomorrow- well actually, today) could work.

Time?



I'm usually booked all the time in some form or another so I could move something so it happens at 4:00pm but it would be better at 8:30, right after I speak at the Black Ribbon commemoration for victims of communism which is at 7:00pm. Or I could try for Tuesday



Before I forget, Do you have a cell number I can text you at

Tuesday would be best. I have a



Aa







**Rick Chiarelli**

Active 14h ago



meeting at 4:30 and another at 8:00

Yes



Ok can you do Tuesday night at 7:00 or, if I can't make that work, at 9:00?

No I would have to do Tuesday before 1:00



My number is 613-852-7425

This week is tough for scheduling as my co manager is in the hospital so I'm doing both our jobs.

So the. It's either later than 9:00pm on Monday or I will need to move something at



Aa



**Rick Chiarelli**

Active 14h ago



need to move something at  
around 11:00am on Tuesday

Monday after 9:00 could work

Or tues at 11:00 would be ideal



Ok hold 9:30pm Monday but  
I will try to move my Tuesday  
meeting so we can do it  
Tuesday at 11:00am. If it runs  
past noon I will buy you lunch  
so we should pick a place  
where that works and where  
you won't be seen by the  
wrong people

Ok let me know tomorrow mid  
day what works best and I will  
ensure to have thought of a  
location.



Ok. And you do not need to  
dress formally!



Aa



**Rick Chiarelli**

Active 14h ago



Hahahaha out of jest I was going to ask you what to wear

If anything you could dress like one of the events you might go to. But formal is stuffy



I'm good with fashion, won't be an issue

Even you will need to be outside your comfort zone sometimes



That's how people grow

Other woman in my office is an accomplished cos player



One of the others, that is

I have a lot of respect for them, these costumes are crazy



Aa



**Rick Chiarelli**

Active 14h ago



those costumes are crazy!

Yes. Some are scary and super hero-ish. Some are quasi skanky. Some are just impressive



Agreed on all accounts

If you are good at fashion, the fashion you currently choose to wear, then you may be a bit artistic



I am

Both a pianist and drawer

Good. Then that means you can learn to design newsletters etc (if we assign you time to watch the videos to learn InDesign, the app)



Aa





**Rick Chiarelli**

Active 14h ago



to learn InDesign, the app)

... I mean IF you end up here, that is



I can learn to do lots of things. I apply myself

Good. What's your personal situation? Any crazed ex's we will have to fend off? Any kids? - and no, this will have no effect on whether you will be hired. I'm just curious



Neither

Nice relationship with a nice man

Normal

Ok. But that's not actually normal



Aa



**Rick Chiarelli**

Active 14h ago



Hahaha well fair enough. Then I am an educated, well tempered, independent woman who takes care of herself and loves her man. He is an educated, well tempered man who is independent and takes care of himself and loves his woman. No fighting, no problems, completely and pleasantly happy

Wow. You must be a Russian spy bot something 😊



\*or

2nd generation Romanian, he's born and raised in Peru. Makes for a good mix



Ha



Aa



**Rick Chiarelli**

Active 14h ago



We're raised to take care of our men and they're raised to take care of their women it's great

Ok so let's aim for Tuesday but connect tomorrow. This has been an odd FB conversation. But maybe in a good way 😊



Agreed. Probably the most random FB conversation I've ever had but hey, random is good right?

Random is better than running an ad 😊



I'm off to bed anyways, we'll connect tomorrow. Have a good night Rick, pleasant chatting with you.



Aa





**Rick Chiarelli**

Active 14h ago



You too



2018-08-22, 9:56 PM



2018-08-22, 10:13 PM



Aa





**Appendix 28** - Initial Facebook messages between Respondent and Witness 2 (December 2018)

4/3/18, 8:47 PM

Thanks for friending me. FYI, I am [redacted] favourite City Councillor and I believe she is the best the Tories have to offer!

4/6/18, 7:47 AM

She certainly is! Hope you have a great day!

12/20/18, 11:26 AM

You are in Tory circles. Without spreading it around too much, do you know anyone who knows PR, social media, possibly graphic design, some slightly conservative politics who might want to work for a city politician?

1

Are you trying to describe me, Rick? Haha

Sounds a lot like my scope of skills

Ha! Plus you're friends with [redacted] - the best the tories have to offer! Would you even want to consider this?

Or do you know people?

I'm open to new opportunities. I'd like to learn a little more if you'd like to chat. I'm not necessarily looking to jump ship where I am, but I do remain open if something is a good fit.

I can't think of anyone off the top of my head but should it not be right for me I can definitely keep my eye out.

Would this politician be yourself, by chance?

Yes it is me. It is the start of the term and the politics has become volatile. If you are up to it, we should chat. In some dark place where pols and your current bosses won't be able to identify us

Trench coats and shades?

I would expect nothing else. Should we come up with fake identities as well?

Just let me know when and where.

Yes. Clouseau? What times are usually better for you? After hours? Sooon?

I'm not able to meet today, however I can probably fit tomorrow in the late afternoon. Aside from that Tuesday and Thursday evenings work best for me. What's best for you?

12/20/18, 3:09 PM

Tomorrow could be difficult driving but if it is doable then later tomorrow works

As late as you can

Where is your office?

Just pick a Starbucks

But I have 2. One at city hall, another at Centrepointe

12/20/18, 8:50 PM

Hello?

Apologies for the delay, I've had a busy evening. Would it be more convenient to call and chat about this?

At first, yes. But we would still need to meet up sometime. But maybe a week later

1

12/21/18, 9:02 AM

Okay sure so how about I give you a call tonight and we can actually meet after the holidays?

At least later next week would be fine

Ok. Text right before you call

12/21/18, 5:14 PM

What's the number to call?

12/21/18, 6:40 PM

613-852-7525. When can you call?

In around half an hour if that works? Or would you prefer later?

That works. Or later. Makes no difference

12/21/18, 9:43 PM

Does 11pm-ish work?

Or now

Or now?

12/22/18, 6:24 AM

Hey I tried texting you

Around 7-8

I have an early morning today heading to Toronto. If you're free at some point today let me know.

12/22/18, 7:36 AM

Oh no, I mis-typed my number! It should be 613-852-7425.

How is 10:00 for a phone call?

10:00am

12/22/18, 10:14 AM

Sure thing I'll call now

12/25/18, 3:24 PM

Hey Rick, wishing you a Merry Christmas - have a great day with your loved ones!

12/25/18, 4:54 PM

You too! Merry Christmas

12/30/18, 11:36 AM

So the other person called and asked to postpone our interview because her "birthday is this week" - arrgh! So I am concluding this and the job is yours if you want it!!!

**Appendix 29** - Text messages between Respondent and Witness 8 discussing clothing options for Canada Day (June 23, 2018)

4:35



Rick >

Very true lol. I'll rarely go clubbing. I've been a handful of times

Then you may not know what to do there either...like the rest of the job, going in :)

I'll just have to learn and adapt quickly

Ha. Well I can explain it all. But even if you stumble a bit at executing some events, it's probably going to be better than the one who doesn't even show :)

Oh she also tried the excuse that she didn't have a thing to wear. I told her we had a bunch of stuff in all sizes assembled by a former staff member. So then she changed the subject

That's good to know, I'll have to keep that in mind

Yes. She was told what she should wear (two things, one for each event) a week ahead of time. And she said yes for sure but then, the night of, it became one of 4 different reasons for her to stay home and Sleep



iMessage



4:35



Rick >

Anyway i don't know how you normally dress - except for your stunning Metro uniform, of course :) But I believe for most of the day to day times in the first week, you will wear things that will actually align with what [REDACTED] (or I) recommends. Not expecting you to buy new stuff. As far as "clubbing" goes, I'm not sure which of our couple of tried and true formula things would work best on you. But we have time to do that, at least before Canada night.

That totally works for me. I'd rather be told what to do and dress appropriately than guess and do it all wrong

Good. Well your first week you will have some hours on some days. But most of the days are low pressure, with not much Media around us. So even major errors won't hurt - I know, you won't make any

Jun 24, 2018, 6:38 PM

Ok, now please go to [gmail.com](https://gmail.com) and log in as:

[REDACTED]@rickchiarelli.com

That is your new INTERNAL email address (for use between our team,



iMessage



**Appendix 30** - Text messages between Respondent and Witness 8 making arrangements to meet at a restaurant where Witness 8 can try on clothing options (June 27, 2018)

4:36



Rick >

Ok. Also I can bring some of the things you can try on in the restaurant washroom to get some idea.

...while they pick out the gluten

I sure hope they won't

I'll get really sick

Yes please!

I also have my schedule for next week, would you like me to give it to you?

Sunday 1st- 10:30-4:30  
Monday 2nd- off  
Tuesday 3rd- off  
Wednesday 4th-  
10:30-4:30 \* I have ringette on  
Wednesday  
Thursday 5th- 4:15-10:15  
Friday 6th- 4:15-10:15  
Saturday 7th- 11:15-4:15  
Sunday 8th- 1:00-6:30  
\*the 8th might change

Ok. How are you thinking about this so far?



iMessage





4:36



Rick >

It's ChancesR that's gluten free

Ha!

Great. They like me too

I can drive you since you are in the way

Oh god no lol

Thank you, I appreciate it. I might have the car but it's very unlikely

Sent as Text Message

Ok. Make sure you are wearing something that is easy to change from and into shirts like that. So not a dress.

Text Message

Ok. Make sure you are wearing something that is easy to change from and into shirts like that. So not a dress.

iMessage

I can do that.

Sent as Text Message

Text Message

Where are we meeting Friday night?



iMessage



4:36



Rick >

I have not heard back from Babyface so I am assuming she isn't coming tonight. So I guess your confidence will be best served if we cancel tonight and put big focus on and aim at Canada Day night?

iMessage

That would work better for me yes.

Sent as Text Message

I'll have more energy too, tonight I'm feeling a little tired

Sent as Text Message

Ok. And I can find the other shirt by then and I can also figure out where I can drive down ther

\*there

Text Message

Ok. And I can find the other shirt by then and I can also figure out where I can drive down ther

\*there

I also have shirts that are similar to the stuff that I saw today

Jun 30, 2018, 10:02 PM



iMessage



**Appendix 31** - Photos of shirt Witness 8 selected from the options Respondent offered at restaurant





**Appendix 32** - Text exchange between Respondent and Witness 8 prior to Bluesfest event  
(July 7, 2018)

4:37



Rick >

Fair enough

We will go in together but should be talking to others most of our talk time

I can totally do that, I don't really think I'll like the music

Ha!

iMessage  
Jul 7, 2018, 8:15 PM

Situation?

I'm off from work but still getting ready?

I'm just not 100% sure what to wear

Give me some options

I have the white top you gave me that I can wear with some jean shorts or leggings

I just don't want to freeze

Ok wear that. It's going to be 19C or warmer til we leave

I'm wearing it with jeans



iMessage



4:37



RC

Rick >

I'm wearing it with jeans

Ok.

I've got a bralette underneath it, this should work

19C is warm for some. Cold for others?

I'm on the fence

I might get cold but a lot of people will be there

It will be fine

I'm almost done getting ready

Maybe another 10 minutes

Hello?

Are you on your way?

If you are ready I am almost there

I am ready

Read 2018-07-07

OK I'm here



iMessage





**Appendix 33 - Text exchange between Respondent to Complainant 1 (January 4, 2019)**



+1 (613) 852-7425 >

can actually turn into a strength and a kind of power. But few coming from it would even think of it that way

Well I think that being around you and [REDACTED] really bring out that part of me

I already hired you before I knew. And because of your strengths, I thought that decade could make you even better than I had concluded to that point.

I'm really happy for this opportunity.

What should I wear on Monday to the event we are going to?

It says cocktail attire



iMessage





+1 (613) 852-7425 >

It says cocktail attire

Yes. So feminine dressy but sexy.

I think I'll buy a dress tomorrow

It's easier for guys

K I've got this

You said be blunt so: not Ho-ish but depending on the dress no bra required and black, blue or red usually works.

It doesn't have to be expensive

I will not understand much of what they talk about...urban design???

So the event is actually about



iMessage



**Appendix 34** - Text exchange between Respondent and Complaint 1 about nicknames for staff members (January 4, 2019)



+1 (613) 852-7425 >

lol I was telling [redacted] how we were all suppose to have nick names. Like, you call [redacted] "max the arms dealer" and [redacted] has you saved as " the leader" but I don't have one yet!

Isla

?

Another Mission Impossible character

Lol well is she badass?

Isla I mean. I think so

Look her up on the weeb

lol ok. But I saved you as Rick C137



iMessage





+1 (613) 852-7425 >

And I changed [redacted] to "queen of the ward" lol

Isla is in Mission impossible Rogue Nation. She has nice knife scene. And [redacted] is best as an arms dealer

Ok, I'll take it. But I hope there's room for change lol

For sure

What are the last digits of your phone number again?

[redacted]

Why?

I am trying to purge the contact, photos etc of the first [redacted] so Siri will leave me



iMessage



**Appendix 35** - Text message exchange between Respondent and Witness 1 about an event Complainant 1 attended with the Respondent (January 22, 2019)

**The Leader**

Tap here for settings



██████████ gushed about me for the first time ever - good to see his conversion. Also If ██████ hadn't worn a bra tonight (which would have worked we in the sexy but not overt cleavage option), it would have been funny because we were sitting with an Indian business owner named "██████████". Only ██████ seemed unaware of the meaning of his name.

JAN 22 9:15 PM

**Bahahahahahaha**

JAN 22 9:16 PM



SUN, JAN 27

Foxy better not find out about Isla's alleged former job with the B/HJ/F Dance Studio because she would tell her best friend and, when drunk, that best friend could tell a colleague and it could whisk through the whole



New Message





**Appendix 36 - Text exchange between Respondent and Complainant 1 (January 7, 2019)**



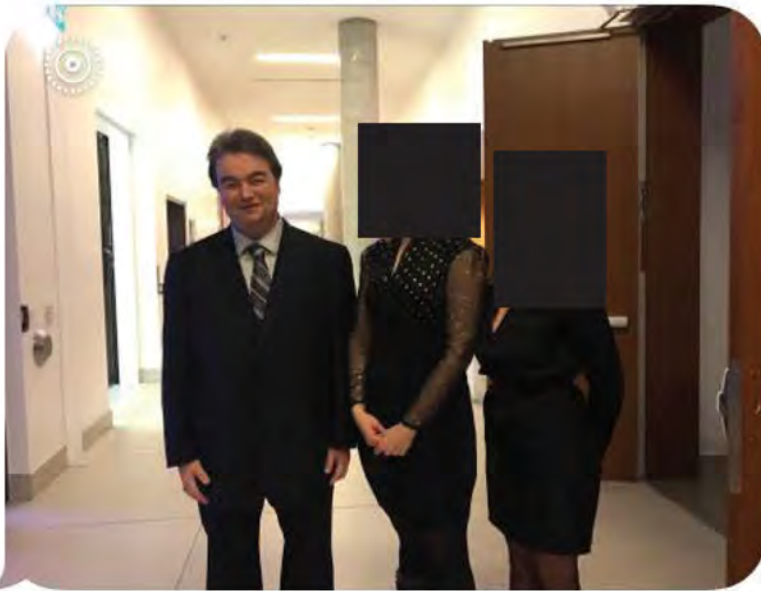
+1 (613) 852-7425 >

Here

iMessage

Mon, Jan 7, 10:07 PM

When you have a chance could you please send me the picture with the journalist?



Thank you!

Ok. And the woman is texting me

Messaging\*



iMessage





+1 (613) 852-7425 >

Messaging\*

Omg!! Nooooo

What is she saying? Am I in danger? lol

No. I'm in danger because of you :p

lol

Welllll shit

Ok, I'll do damage control. All we need to do is find body doubles, and place them strategically. Easy right? lol

Lol

She thinks you're 23



iMessage





+1 (613) 852-7425 >

Lol well I pay my surgeon well



And she thinks I'm boinking you because you just want a "brush with greatness "

Lmao well she caught me

And for free

:p

Should have told her I've done less for more, so no girl, no. Lol

Yeah. She said you look like a political staffer - "and you know what I mean "

Gots to make my way in the



iMessage





+1 (613) 852-7425 >

world somehow 🙌 what else would little old me do

She also says she's not jealous

lol she's beyond jealous

Oh a good statement from her about you: "she sat there admiring you all night". You are SUPPOSED to appear that way!

Well, that she actually isn't wrong about. I do admire your stands, your ethics, and you as a person in general. But even if that wasn't true, I'm also paid to do that lol

I know! See!

Lol



iMessage





+1 (613) 852-7425 >

She also said you have good boobs and nice eyes

Maybe she's not crazy after all

I wanted to say "and the hair! She has great black hair!" But I didn't

Lol fuel that fire though we're already in it. Lol

Yup. She wants to know if I'm cheating on you and banging my other staff too

Lol tell her we've worked it out and share u through the week and we just can't take anyone else on cuz it would mess up the sleeping arrangements that took MONTHS to settle on 😂



iMessage





+1 (613) 852-7425 >

took MONTHS to settle on

Lol!

Plus she's not cute enough?

Well duh

Tell her to fix her crazy eyes and choose a better hat then maybe just maybe... I might give her more advice lol

Yes. Now she says your lips are hot too and that I must have picked you because of them

Lol sounds like she's more interested in me now Rick

Are u sure your stocker isn't my stocker now? Lol

I wish!



iMessage





+1 (613) 852-7425 >

I wish!

She wants me to go to her place tonight

Tell her I'm crazier than she is and it's my night lol

Tell her I waited like the rest of them lol

Ha! So far she hasn't asked me to bring you over. So that's good

Lol 😂

She says she knows that look on your face and she knows that other look on my face

lol yes well I'm sure she has made others uncomfortable



iMessage







+1 (613) 852-7425 >

made others uncomfortable before, she should know that look

Lol

Supposedly you were "satisfied" and in deep admiration. And I looked guilty

Lol tell her she can't read faces

Well I didn't look guilty did I?

Lol of course not. Don't let crazy get to you.

Good point

By the way, you looked great and were dressed exactly right for tonight

Thank you! I wanted to make a



iMessage





+1 (613) 852-7425 >

Thank you! I wanted to make a good impression

You did

Well thank you.

Tue, Jan 8, 7:40 AM

Instead of Pius X or City Hall, I suggest you two work on 2017 at a nearby Starbucks. I am working on my part now but could zip over to to SB's for a bit any time today.

Or at home if you have wifi now

Ok, does [redacted] know? I think she has her French lesson today so she may go to city hall

She is doina financina at citv



iMessage



**Appendix 37 - Text exchange between Respondent and Complainant 1 (June 3, 2019)**



+1 (613) 852-7425 >

DO YOU KNOW WHETHER [REDACTED] put  
through [REDACTED] Pay  
requisition?

I'm not sure if she did or not.

Mon, Jun 3, 11:12 PM

That was quite the event.

That's good! Who did you bring?

Nobody. But I spoke and made a joke that got thunderous laughter. And then a woman serving food from St. Hubert's went nuts over me when I went to get some food. She said "oh my God, I knew I recognized the voice! Rick Chiarelli, we've never met but you are so much a part of me!" Then she took me aside and said "I need to



iMessage





+1 (613) 852-7425 >

me aside and said "I need to spend time with you just some. I'll cut to the truth, I'd love to play with you. Any time. Or many times. Many different dates. Not just one. And I'm not even like that. I've only been with a total of four men in my life. So I'm not always doing this. You're just so meaningful to me!"

She did give good chicken strips

She seemed about 30 yrs old

Lmao! Good thing you were alone. I coulda cramped ur style

5'9. Brunette. No you coulda saved me quicker



iMessage





+1 (613) 852-7425 >

5'9. Brunette. No you coulda saved me quicker

Oh and she apologized for not wearing makeup

Lol well o already have one of your crazies who hates me, what's one more

Lol what?!

True

She wasn't prepared for you 😂

No. She never thought I would be there

I don't think she is as crazy as the one you met



iMessage





+1 (613) 852-7425 >

No. She never thought I would be there

I don't think she is as crazy as the one you met

Ya maybe not. That woman gave me the creeps... I feel like she probably knows where I live

That one probably does. Btw, that one just got off some form of stress leave and she told me today she was going to quit her longtime job so she'll be ready to help me

She invited me to a 24 hour "session" which she says would "leave no stone unturned"

That sounds too tiring



iMessage





+1 (613) 852-7425 >

That sounds too tiring

Ha!

24 hours? Lol what makes these ppl think you have that kind of stamina

And btw, she clearly hates you

Nobody does for goodness sakes

Ya I figured she did

And remembered your name

By the way she tried to get me to burst into flames with her eyes lol

Yes



iMessage







+1 (613) 852-7425 >

eyes lol

Yes

That's creepy

I know.

The one from the electrical night was way less scary

\*tonight

Lol it sounds like an electrical evening 😂 for her it was anyways

Ya. My joke was "this is all about electricity and what electricity would be like in 2040. The mayor wanted me to be here and he asked me to try out the electric chair". HUGE



iMessage





+1 (613) 852-7425 >

out the electric chair". HUGE laugh because all 200 seemed to know the mayor dislikes me

Lol!!!! 😂 I wish I could have heard it

And it was after that that I got targeted by the chicken woman.

Lol! Awww you guys have nick names 😂

She gave me a bunch of swatches of honey

Lol



iMessage





+1 (613) 852-7425 >



No she has my business card.  
So she has my cell number

\*now

Yikes

I don't think this one will be big  
C crazy

Time will tell

She said that although we are  
both technically Liberals, we  
should both really be  
conservatives

Why is that



iMessage





+1 (613) 852-7425 >

Why is that

She said we both think like Conservatives even though we say we're liberal. Oh btw she didn't ask for a job

Not yet

She's waiting til she thinks you owe her for turning over all the stones lol

Lol

She said that if she knew I was going to be at that event tonight or any other event she would be there wearing somethings slinky and make up..."just to help you out and, oh ok, to spend a little quality time with you. And I've never



iMessage





+1 (613) 852-7425 >

She said that if she knew I was going to be at that event tonight or any other event she would be there wearing somethings slinky and make up..."just to help you out and, oh ok, to spend a little quality time with you. And I've never done that before with anyone else ". So slinky at an electricity night at the museum cocktail

\* I'm speaking about the chicken woman. Not the one that hates you

Tue, Jun 4, 10:07 AM

Is there a standard response you would like me to give for the moment regarding the Chateau Laurier



iMessage



**Appendix 38** - Text exchange between Respondent and Complainant 1 (February 17, 2019)



+1 (613) 852-7425 >

the same people I'm thinking of

And two girls he knows, who are of a certain profession, want me to hire them - and they both seem baffled that I did t try to blink them - ha!

Lol yea gentlemen tend to baffle us

\*boink, not "blink"

Lol I figured... no one is shocked at heavy winking 😏

Yeah. Well those two have been contacting me for a couple of weeks, both claiming they would be better than [REDACTED] was and lately also saying they are better than our "blonde princess". So they must have



iMessage





+1 (613) 852-7425 >

seen me with her sometime recently

How do they know [redacted]?

Lol where would they have seen you with her?

That's what I mean. They must have seen her with me sometime in the past couple of weeks?

Strippers generally aren't known for going to community family skate days lol but anything is possible

Well these are more escorts and who knows what happened. Maybe they saw foxy c and she was talking about her job to someone



iMessage







+1 (613) 852-7425 >

about her job to someone

Or they meant [REDACTED] (she had a blonde period)

It's possible.

I suppose they could also be talking about our Queen of the ward, who would be very happy to correct them if her title lol

Of\*

Lol. Or they "met" [REDACTED] or BamBam and they told them

Ahhhh yes, even more likely

Or [REDACTED]

Chances are that's exactly how they know. But since they've



iMessage





+1 (613) 852-7425 >

they know. But since they've already been "given gifts for services" from another councillor, probably unwise to hire them. They'd likely be moles

And that the 2 of them are saying it? How else would 2 of them know unless he had them both at once?

Neither seem smart enough anyway - although one is close to smart

Lol well seems shady. I guess you could just ask them in a round about way. If one isn't that bright she might just say "oh I'm 'good friends' with [redacted]" or something dumb



iMessage



**Appendix 39(a)** - Text exchange between Respondent and Complaint 1 (December 19, 2018)



+1 (613) 852-7425 >

Ok. Well I may not be there until 11 so don't get badges until then.

Alright

You probably wouldn't anyway. I'm assuming you will go home between city hall and the Morrison Gardens event, right? If so, I can drive you to and from the event

🤔 don't tell mom

What time is that event tomorrow?

6pm-ish

Ok then I won't bother going home first.



iMessage





+1 (613) 852-7425 >

home first.

You might as well go home because

Because it is only a couple of KMs from your place

You will likely be done at city hall at 4:30-5:00 I believe

I may not have thought this through

Lol it's alright, that's what we are here for.... right? Lol

I can meet you at the event if that is easiest

We need to go over the plan again. While this is a fairly easy one, it is also your first. We could do that at city hall, if we



iMessage





+1 (613) 852-7425 >

could do that at city hall, if we have time. But, if not, Another option, if you are busing, is We meet at Starbucks College Square, I go over the plan again, and drive you there.

Alright, let's touch base tomorrow during the day and see if we have time then to go over things and if not we will make time before the event

I don't think I will be driving, I will most likely Uber tomorrow morning

If I am coming in early, I will call you and drive you in- but that is not likely tomorrow. I don't know whether you heard but the NCC terminated the Ottawa Senator's new arena project at LeBreton. That has had me on



iMessage



**Appendix 39(b)** - Text exchange between Respondent and Complaint 1 (December 21, 2018)



+1 (613) 852-7425 >

I am not bugged by you ever. We can target a different Saturday for a first sneaky networking of randoms at those places. After those, on another day/night we may do something that is more formal?

And don't let me wiggle out of these

And then we'll perfect a system to catalogue the different types of contacts/enthusiasts

Ok so don't go tomorrow for the petition?

Yes do the petition.

Ok

I was referring to the original



iMessage







+1 (613) 852-7425 >

I was referring to the original plan, way back when you had just been hired. That plan was to do random networking at the bar tomorrow night - something we will no longer do tomorrow night but we will do that on a different Saturday.

Ahhhh ok

I had actually forgotten about that. And while I'll of course do random networking, I feel very enthusiastic about actual issues

The meeting today kind of touched my heart a little

Good. That will be even more true when you see people trying to sabotage us on these



iMessage





+1 (613) 852-7425 >

trying to sabotage us on these things

Well, I guess that's true... and I'm a silver linings kind of girl. So, the silver lining of me having been a dancer is that I can stripper kick all of them

Lol

Ha! And that could be scary

The other silver lining is you project personal confidence.

Fri, Dec 21, 10:42 PM

Thanks for saying that Rick. It means a lot.

I'm going to drink some wine now so if u message me again my advice may be alcohol



iMessage



**Appendix 39(c)** - Text exchange between Respondent and Complaint 1 (January 4, 2019)



+1 (613) 852-7425 >

It should work well.

I do feel sad though for both you and [REDACTED] about how things ended with [REDACTED]

But, I guess everything happens for a reason

Yeah well I don't know whether I can even get this thing finished. And if I don't, we could have scandal. Btw Keep certain things secret from [REDACTED] though. She has a lot of strengths but her "street smarts" are not up to your level.

Yea I think [REDACTED] and I both figure as much.

And just so you know I'd never



iMessage



**Appendix 39(d)** - Text exchange between Respondent and Complaint 1 (January 26, 2019)



+1 (613) 852-7425 >

Sat, Jan 26, 11:44 PM

So I am finally done my third long event of the day.

Hopefully they went well

What was the third one anyways?

Leslie Park winter fun day; black history month at city Hall and the Madonna delta Risurrezione dinners

How did they all go?

All ok. Nothing great. But very little support gathering. Must do better at that

We will. How large were the events?



iMessage





+1 (613) 852-7425 >

events?

Hundreds at each

oh wow

Yeah. So if I had brought you and we had focused and done that instead of just being seen, it would have paid off. Also, you could have changed and we could have gone from the last one to a random networking to get someone for our noc list of knee-cappers.

Well I'm always interested in these events. I'd like to attend a couple with [redacted] so I can watch and learn from her

The first 3 might have helped you with that



iMessage





+1 (613) 852-7425 >

you with that

Well I'm always happy to go to them, just let me know when you want me there :)

Ok.

Sun, Jan 27, 10:02 AM

then there is a chance the strategy is going to be that we classify events into 1) random networking (all 3 types) to learn and to get people for each of our 3 lists; 2) public interaction events like public consultations and 3) meetings with groups we already have connections with. And if that's it, you may be able to do almost all the #1s. [redacted] can't likely succeed at #1s and we can't have [redacted] doing them because she has to do



iMessage







+1 (613) 852-7425 >

them because she has to do #3s and many #2s

We'll need specifics emojis though

Sun, Jan 27, 1:17 PM

Could you explain a bit more what a public consultation may be? A meeting where you are meant to speak on a specific issue or something?

Yes. And where the public is invited to come out, sit in the audience and ask questions/ give opinions if they want to.

Interesting. I feel like once I've learned a bit more 1's will become very easy for me to get people's support.



iMessage



**Appendix 39(e)** - Text exchange between Respondent and Complaint 1 (June 5, 2019)



+1 (613) 852-7425 >

yet

Ok the printer crapped out.  
Who do I call?

The IT hotline

Never mind it was just out of  
paper 🙄 lol

Blonde moment

Yeah, better as brunette

Lol

Wed, Jun 5, 5:25 PM

Remember you, or the right  
part timer (not [redacted]) need to  
do a random networking stint  
with me after the fireworks  
have ended on the night of



iMessage





+1 (613) 852-7425 >

have ended on the night of  
Canada Day

Ok

I'm still at the office. Probably  
will be for another hour or so.

Let's try not to forget the  
printer tomorrow. I really need it  
at BFP

Ok

we can put it in your van after  
the Italian week thing. I should  
be here by then, I have a  
dentist appointment in the  
morning

Ok

Do you have special envelopes



iMessage



**Appendix 40** - Text exchange between Respondent and Complainant 1 (December 28, 2018)



+1 (613) 852-7425 >

Tomorrow I am on CTV early in the morning, and then again at noon, promo-ing the event. Hopefully we will soon get MAJIC 100, CFRA radio, Cbc radio and tv as well.

Fri, Dec 28, 6:51 PM

So what's this about [REDACTED]?

I think he's over the bar scene and might be interested in something with a bit more substance. I just thought if you had anything available or something that he may be able to help.

If you were looking

What's his background/good at?



iMessage





+1 (613) 852-7425 >

at?

he went to Ryerson University for philosophy and psychology. He's an artist, musically inclined, very well written and spoken. He would be really strong at gathering data and or reports

And not even necessarily with you in politics, just if you knew anywhere else that u may have a bit of pull to get him into to sometime down the road or something.

I will think on this. There may be some options in some other parts of city hall or maybe even some here. And if it doesn't have to be immediate, even more likely. Is he going to be just ok with you at



iMessage





+1 (613) 852-7425 >

more likely. Is he going to be just as ok with you at networking bar assignments if he's around our building? - Oh that reminds me..you said to critique how you LOOK on the job. At the office so far, in terms of what you have worn, you have nailed it. Also your hair is perfect for this.

It doesn't have to be immediate, we have just been talking lately and he's mentioned that he's getting tired of the bar scene. And to be honest I'm glad to hear because I know he has so much more potential. And I think that he would be fine with networking as well. He isn't quite the social butterfly I am but his background in psychology makes him strong



iMessage







+1 (613) 852-7425 >

psychology makes him strong at reading people, therefore reaching a target market wouldn't be difficult for him. And thank you for the feedback. I've never had an office job before so any and all critiques are very useful for me. And I'm glad you like my hair lol

I will get creative about how he could fit somewhere. And it's good that he isn't the jealous type, btw. And when did you meet him?

We met 2 years ago in Cuba. I was on vacation with a group of my friends and he was there with his best friend.

That's cute. Odd but cute



iMessage





+1 (613) 852-7425 >

That's cute. Odd but cute

Yea I guess it's random, but I like the story.

That means he really isnt jealous because he likely knew about your other job

Yes he does know. He's always been supportive of my choices and respectful towards me even if he didn't always like it. We trust each other.

For example I always found it ridiculous that some bfs of dancers fear that the dancer will view what happens there as real and that the dancer will ditch her bf to run off with a customer.



iMessage





+1 (613) 852-7425 >

No he definitely never thought like that. I think he understands woman and relationships better and in a healthier way than to think the world we create for men there could ever be real. If anything he feels bad for the poor shmucks who blow their cash there lol

Blowing SOME, I could understand. But I know guys who blow 2 months pay

Yea it's pretty crazy how reckless they can be. It was a customer, a married customer who actually bought me my car.

Not that I'm rolling around in anything fancy but still. Over the course of a month I told him I needed a car and he



iMessage





+1 (613) 852-7425 >

club for me knowing he was paying for it. Crazy

Ha! You must be skilled. And with your mind too

I guess so. Sometimes I felt a little guilty for manipulating them so much but at the end of the day they knew where they met me and what it was. It's not like I was calling old people pretending to be a Nigerian prince who needs their help lol

Ha!

A treasurer in a Pennsylvania town sent millions in city money to that prince

😂 yikes



iMessage



**Appendix 41 - Text exchange between Respondent and Complainant 1 (January 28, 2019)**



+1 (613) 852-7425 >

At least, as of today

Yes she mentioned we would be going over what each of our roles are

That means the random networking night events in which we are trying to recruit people for our "noc list" will not involve [redacted] or even [redacted] much. So it will be all, or mostly you on those. [redacted] will be at assignments where we are targeting specific individuals

What does "noc" mean

Earlier you said noc list of knee cappers, sounded kind of like something from a gangster movie lol



iMessage





+1 (613) 852-7425 >

movie lol

It's a Mission Impossible term for a list of people who will help us by doing what we need done but never revealing they are doing it because we asked them to

Ah, a little gangster lol i like it.

I really need to watch that movie

It means Non Official Cover

Tea life spy agency use it too

\*teal not tea

\*REAL

How would I know I could trust to do that though?



iMessage





+1 (613) 852-7425 >

to do that though?

Lol tea life

You can't trust them so need things to move to a point where they feel like they can't betray you.

It would always be guys

However, at other night events, you will be trying to recruit for our other lists. But they are not as challenging

Alright.

We probably won't talk about the noc list assignments in front of FoxyCleopatra -at least not yet- because I'm not sure she should know AND I don't



iMessage







+1 (613) 852-7425 >

she should know AND I don't think she could do it and succeed, so I don't want her asking to do it

But there's a formula that works ... for someone who can do it

Also, you can go to some NON noc list assignments with [REDACTED] where she can show you how to succeed at the non noc list assignments

I'm not sure of a formula for those

Ok, well maybe [REDACTED] can take me out on a tester mission sometime and I'll just follow her lead

Ok, well I know how to



iMessage





+1 (613) 852-7425 >

Ok, well I know how to manipulate men... that's easy. I just want to be clear on my mission for our cause. I think team meetings will definitely help with that

He NON noc list missions are what [redacted] can take you on. She may have good tips for you. I don't think she's ever done a noc list mission and, secretly, I think you could be better at them

I know what works so hopefully you will agree, or just believe me. I think the clear definitions of who does what (for the next 6 months at least) will help you focus (and probably bank some hours) and it will help to get [redacted] to not focus on your



iMessage





+1 (613) 852-7425 >

[redacted] to not focus on your stuff and to focus on her own instead

Well I definitely appreciate [redacted]'s help with everything, but I also want I have the chance to show I'm capable as well

Yes. And it's better for [redacted] too.

Mon, Jan 28, 8:37 PM

How did it go after I left? Are you good with this so far?

It went well. I found the breakdown of the different types of volunteers very helpful.

Now, I feel more confident in



iMessage





+1 (613) 852-7425 >

Now, I feel more confident in my role and how I'm meant to go about events

I just need to learn more about your goals for this term and what you stand for and I'll be able to sell sand to the beach again

Good. It also draws a nice line between you and the others so you can do your stuff

Yea for sure

Yes but usually on the noc list assignments that matters far less to people than impressing you does

[REDACTED] will be great at her new stuff



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stuff

I think we will all fall into our rolls really well

I agree with you that [REDACTED] may not be as great at certain events but I have a food feeling about her for where she is

Good\*

Yes. She is not going to succeed much at bars/clubs/artsie random networking night assignments

But at others she will be ok

I can sort of see her getting offended easily. Not that that's is always a bad thing, just not good for that particular role. But it seems like her training



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But it seems like her training will go quickly for the media stuff.

Yes. And she will need to get offended less because it pops up everywhere but yes, way more when dealing with guys on the prowl

Yea exactly.

Also she reminds me everyday that she's lacking big boobs

Lol itty bitty titties need love too 😂

Lol

You and I should meet soon so I can tell you what works for these assignments. And what



iMessage





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these assignments. And what to steer away from and how to do that. Max doesn't really know, although she says she does and Foxy May never know, but we don't care

Alright how does Saturday night sound?

I think your event is during the day

It is. Looks good.

This type of assignment is super secret because it could appear manipulative

That's ok. Everything you and I talk about stays between us.

Does 7 or 8 work for you?



iMessage





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Does 7 or 8 work for you?

8:00 I guess. Is there a place that isn't as bright and busy?

I'm sure there is. I can try and find a place and if u find a better place let me know.

Sure.

Your shirt size is small to medium, right?

Depends on where you're shopping but yes

But I already have a blue Chiarelli shirt

I know. It's not for that. And not for a onesie either :p



iMessage







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for a onesie either .p

Lol

I will bring you some examples

Ok

Tue, Jan 29, 8:38 AM

This morning, just on the border of our ward, by the Queensway, another double decker bus caught fire. That's two this year. And I struggle for half an hour just to light the kindling for a camp fire when we go camping!

Tue, Jan 29, 4:11 PM

Are you busy tonight after 7pm? If you aren't, I am meeting two people to discuss



iMessage



**Appendix 42** - Text exchange between Respondent and Witness 1 about possibility of firing Complainant 1 (January 20, 2019)



**The Leader**

Tap here for settings



there's no room for error. I have told her, there have been plenty of 60-70 hour work weeks for me and I have never and will not ever try to bank those hours, w...

Tap for More

JAN 20 8:39 AM



It's 90%-10% that we will have to give her the boot.

She is there to help, not to become another thing distracting me or concerning me

She also wants me to hire her [REDACTED]. Sound familiar?

I wonder if [REDACTED] has a solution to garbage that nobody else has thought of a s will want me to set up a meeting with [REDACTED] so he can discover he can't fake it with people who are in that business

Anyway 90-10 odds now. Oh, and getting nails done does not equal



New Message



**The Leader**

Tap here for settings



Anyway 90-10 odds now. Oh, and getting nails done does not equal "working from home". But she literally thinks it does, which means she thinks when you work from home you aren't doing any work either

90-10

JAN 20 2:04 PM

Well she can frig right off with that! I've been working just as hard as always I set my alarm, drink my coffee and start at 9:30 just like I do every day. She's turning into Babyface and that pisses me off so much

I cannot believe she didn't even ask "what am I supposed to do Friday?" She just ASSUMED

I even talked her through all this on Tuesday when I said Wednesday I be at work super early because my



New Message



**The Leader**

Tap here for settings



I even talked her through all this on Tuesday when I said Wednesday I will be at work super early because my moms surgery starts then, but you can reach out to me at any point. I will monitor rick and my emails and send you constit stuff as it comes. Please make sure to check the voicemail every day and let me know what messages there are (she has only told me about one message btw) and then I said you'll have to be here wed and thurs and at BFP on Friday as rick will need you in meetings and someone need...

Tap for More


I did not say oh don't worry girl go get your nails done, do two hours of work and then go in on the weekend to do work that doesn't exist because I've hardly given you anything and gas stuff is done and hey while you're at it bank those hours too!

JAN 20 4:12 PM



New Message



 Back

## Message

I even talked her through all this on Tuesday when I said Wednesday I will be at work super early because my moms surgery starts then, but you can reach out to me at any point. I will monitor rick and my emails and send you constit stuff as it comes. Please make sure to check the voicemail every day and let me know what messages there are (she has only told me about one message btw) and then I said you'll have to be here wed and thurs and at BFP on Friday as rick will need you in meetings and someone needs to be available to answer the phones or talk to any walk ins.





The Leader

Tap here for settings



I've hardly given you anything and gas stuff is done and hey while you're at it bank those hours too!

JAN 20 4:12 PM



██████████ and ██████████ are insisting she get let go very soon because this always translates into them having to do my paid staff's work and things turning out sub standard

The first of her 3 potential replacements is already a bust btw.

JAN 20 5:44 PM

Well I hope the other two are good because ██████████ and ██████████ are right

Why is finding good people so friggin hard

JAN 20 6:37 PM



TUE, JAN 22

██████████ gushed about me for the first time ever - good to see his



New Message



**Appendix 43** - Witness 2's complaint about the Respondent



## Talks + Comments

- Complete lack of transparency
- Rick suggests how we should dress more provocatively
  - ↳ interviews
  - ↳ events
- Talking about previous + current staff extremely inappropriately
  - ↳ talking about their sexual encounters / personal lives
  - ↳ rumors
- He is never here, ever. - never a full day.
- Extremely avoidant, unclear, and cryptic communication.
- Inappropriate tasks - i.e. borrowing.
- [redacted] being aggressively involved unnecessarily.
- Ridiculous turnover of staff.
- Questionable hiring process.
  - ↳ texts
  - ↳ facebook.
- Pitting us against each other, is talking to us behind each others backs
- hiring behind his wife.
- hiring staff behind our backs

- Always late and regularly cancels meetings w/ bullshit excuses.
- [REDACTED] basically does his job, he does NOT answer his e-mails or even check them.
- Encourages us to conduct ourselves inappropriately at events
- Tells us to not say anything about how our office is conducted.
- calls other politicians "communists" and/or speaks inappropriately about their staff.
- has disclosed that on several occasions, sexual encounters in our office, particularly on my desk and "joked" I should disinfect my desk
- Regularly implies fear tactics, threatening our jobs and/or futures if we leave and say anything.
- No formal training at all, backed by no communication & unreasonable expectations.
- On a mission to take down [REDACTED]
- Forced [REDACTED] to drive in Toronto to go door knocking

## Transcription of Witness 2's complaint

### Toxic & Abusive

- Complete lack of training
- Rick suggests how we should dress more provocatively
  - Interviews
  - Events
- Talking about previous + current staff extremely inappropriately
  - Talking about their sexual encounters/personal lives
  - Rumours
- He is never here. Ever – never a full day
- Extremely avoidant, unclear, and cryptic communication
- Inappropriate tasks – i.e library
- [Name redacted] being aggressively involved unnecessarily
- Ridiculous turnover of staff
- Questionable hiring process
  - Texts
  - Facebook
- Pitting us against each other
  - Talking to us behind each other's backs
- Hiding behind his wife
- Hiring staff behind our backs
- Always late and regularly cancels meetings w/ bullshit excuses
- [Name redacted, Witness 1] basically does his job, he does NOT answer his emails or even checks them
- Encourages us to conduct ourselves inappropriately at events
- Tells us to not say anything about how our office is conducted
- Calls other politicians “communists” and/or speaks inappropriately about their staff
- Has disclosed that on several occasions, sexual encounters in our office, particularly on my desk and “joked” I should disinfect my desk
- Regularly implies fear tactics, threatening our jobs and/or future if we leave and say anything
- No formal training at all, backed by no communication & unreasonable expectations
- On a mission to take down [name redacted]
- Forced [name redacted, Witness 1] to drive in Tornado to go door knocking

**Appendix 44** - Text exchange between Respondent and Witness 1 about Witness 2's complaint about the Respondent (April 18, 2019)



**The Leader**

Tap here for settings



intelligence do some further research for us...she said these are her most important points

MAR 28 9:53 AM



THU, APR 18

Prior to meeting with [REDACTED], what did [REDACTED] say she was meeting [REDACTED] for and why wasn't she meeting you or me?

APR 18 7:57 PM

She told me she had sent resignation and asked if it would be proper protocol to give a letter to [REDACTED] as well and I said yes

She was gone for a while so I left and when I came in today her computer was on my desk and she wasn't coming back

I saw her letter of resignation later the email when I got home

APR 18 8:06 PM



New Message



**The Leader**

Tap here for settings



I saw her letter of resignation later in the email when I got home

APR 18 8:06 PM



Wow. Well while with [REDACTED] she gradually made up more and more of this.

And you and [REDACTED] were both accused of thinga

APR 18 8:08 PM

Yeah as you said. I didn't realize what was being said or the breadth of what was going on. I thought I was informing someone to take the proper steps and I thought she'd told you

APR 18 8:10 PM



[REDACTED] asked what would happen if the clerk took our phones and looked at text messages. That was a weird question.

APR 18 8:10 PM



New Message





The Leader

Tap here for settings



the clerk took our phones and looked at text messages. That was a weird question.

APR 18 8:10 PM

I think [redacted] just lives in paranoia land now

She asked me about our computers and phones being MFIPPA

APR 18 8:10 PM



No. It was pre discussed

APR 18 8:10 PM

Yeah I see that now

APR 18 8:11 PM



Also [redacted] called to tell me what she would tell when interviewed.

APR 18 8:11 PM

What did she say?

[redacted] is hammered right now BT  
waiting on a plane for [redacted]



New Message



**The Leader**

Tap here for settings



What did she say?

████████ is hammered right now BTW  
waiting on a plane for ██████

I mean I can be accused of whatever  
they want, I know the truth of the  
situation and how I've conducted  
myself and I Hope when they talk to  
████████ she reiterates that

APR 18 8:14 PM



She is saying a) I never asked her to wear anything provocative to anywhere but b) I once asked her what kinds of things she would not want to wear and if she would want to wear this or that c) ██████ often sent emails but she didn't action them unless I confirmed it should be done d) the only time I ever mentioned sexual was to say that someone had the desk that was used by former, fired, employees years ago e) you are a strong personality and there are some who might interpret that the



New Message





**The Leader**

Tap here for settings



fired, employees years ago e) you are a strong personality and there are some who might interpret that the wrong way

APR 18 8:16 PM

Well I mean is any of that bad?

APR 18 8:19 PM



So she probably ok. I dont think she'll make up anything but she seems like someone told her they may go after phones

APR 18 8:19 PM

Phhhh [REDACTED]

I thought you were saying that's what [REDACTED] said

I think she just thinks that because she's heard us talk about signal etc. [REDACTED] is very paranoid by nature

APR 18 8:21 PM



New Message



**The Leader**

Tap here for settings



██████████ is very paranoid by nature

APR 18 8:21 PM



No. What ██████████ is saying should be fine

The problem is the wide sweeping part

██████████ saying it's wide sweeping

And that I should have been there to control you two

And ██████████ should not talk to her. FYI there was no talk between ██████████ and ██████████, only Email. And it was civil and not abusive

APR 18 8:32 PM

I know ██████████ never talked to her, or I guess I assume as much since I would think ██████████ would have called me after...



And I don't exactly know wtf ██████████



New Message



**The Leader**

Tap here for settings



me after...

And I don't exactly know wtf [REDACTED] and I did that was so abusive there were many days no one spoke for hours while we all focused on projects

APR 18 9:07 PM



[REDACTED] likely talked [REDACTED] into revising her stories and complaining about everyone

Remember [REDACTED] brought in the police to investigate [REDACTED]. This isn't on the same level but it shows the CYA nature as opposed to being fair.

APR 18 9:17 PM

It's funny I thought about the [REDACTED] thing right away

I just thought [REDACTED] was too new  
be skewed

APR 18 9:23 PM



New Message





The Leader

Tap here for settings



I just thought [redacted] was too new to be skewed

APR 18 9:23 PM



[redacted] issue is criminal. None of these are. But [redacted] did have a typed and printed second letter that was different waiting for when she went to see [redacted].

Remember the IC can investigate if he wants and he can summarily suspend for 3 months or "fine" us 3 months pay

APR 18 9:48 PM

How can he fine us three months pay? That seems so illegal to me

None of us have done anything wrong

I would lose my home, my car everything in my life if that happened. I don't have the resources



New Message



**The Leader**

Tap here for settings



everything in my life if that happened, I don't have the resources to carry myself for 3 months, I BARELY live paycheck to paycheck...I would lose everything

APR 18 9:53 PM



It is in the Code of Conduct (for non-unionized people). But resignations would be demanded well before that. But none of us have done any wrong - she has gone crazy.

APR 18 9:54 PM

I won't resign, but I would have to go work as a server and take whatever payout there city owes me for my events work/vacation time and go serve. I would have no other choice. One week without pay for me means no food on my table for me or my pets

Quite literally

APR 18 9:55 PM



New Message



**The Leader**

Tap here for settings



Quite literally

APR 18 9:55 PM

Oh your pets! We have to get you more \$ anyway. But we will do that smart. Anyway, She "is remaining true to her core values"...whatever those are.

APR 18 9:56 PM

I can't fuck around, I literally live 100% paycheck to paycheck since I am solely responsible for my home, debt, groceries, pets car etc. My ex owes me so much I will live under crippling debt for the next 7 years +

Don't worry about me, I make due, I always will but I certainly can't go any days without work. That would fuck me immediately

APR 18 9:58 PM

Yup. And part of why we have to make sure this turns out right



New Message



**The Leader**

Tap here for settings



APR 18 9:58 PM



Yup. And part of why we have to make sure this turns out right

Plus we will want you set to move up in the corporation as time goes on.

And me. And [REDACTED]. Maybe even [REDACTED].

Go where we want, I mean

APR 18 10:06 PM

I know that. I don't doubt [REDACTED] is on our side..though your and [REDACTED]'s opinions mean more at this point

It all has to be advancement

That's it and that's all

APR 18 10:55 PM



FRI, APR 19



What did [REDACTED] say about how the



New Message





The Leader

Tap here for settings



APR 18 10:55 PM



FRI, APR 19

What did [redacted] say about how the office (you and [redacted]) treated her and how I did and how [redacted] and [redacted] did?

APR 19 7:29 PM

SAT, APR 20

Who's [redacted]? And she never really said anything about you or [redacted] I think [redacted] internalizes things when she's upset and she definitely never complained about me to me

APR 20 2:38 PM



[redacted] is my brother. And Wow. And now she is all the other way. Deleting most of her Facebook, blocking me from all social media, somehow removing even my side of fb conversations (which is supposed to



New Message





**The Leader**

Tap here for settings



from all social media, somehow removing even my side of fb conversations (which is supposed to be impossible), on the outs with [REDACTED]?

And she worked out, in advance, complaints against all of us and happened to meet [REDACTED] who just fuels it

That's the GOOD interpretation of it

APR 20 2:42 PM

I know [REDACTED] is your brother I thought you meant someone else since I didn't think they'd ever met

I didn't know she even knew you had a brother

I wonder how she did all that?

APR 20 2:43 PM



Alternatively it is political, with [REDACTED]'s participation, or it is caused



New Message





The Leader

Tap here for settings



Alternatively it is political, with [redacted]'s participation, or it is caused partially by [redacted] who will be inviting [redacted]

My brother mentioned web site shortcomings and got the message to her -possibly through me

APR 20 2:44 PM

Ohhhh

APR 20 2:45 PM



I'm still not clear on what the accusation is vs [redacted] or even what the main one was on you. ..other than that, you are both toxic atmosphere

What are [redacted]'s "core values" that she is protecting by making this up?

APR 20 2:46 PM

I have no idea since [redacted] didn't t to me. I'm sure I'll be able to clarify



New Message



**The Leader**

Tap here for settings



APR 20 2:46 PM

I have no idea since [REDACTED] didn't talk to me. I'm sure I'll be able to clarify based on what she asks me. Deciphering human behaviour is what I'm trained to do

APR 20 2:47 PM



I am thinking it would be unfair for them to talk to you first since you two (you and [REDACTED]) are accused too and have a right not to self-incriminate. So they might not talk to you for a while. Would [REDACTED] have heard any stories about [REDACTED] or [REDACTED]? Could that be the "sex talk" she said was going on there all the time? If so, that would just be information that you would be wise to give her and neither of our faults. If this is, alternatively, a short term money grab, would [REDACTED] be in on it?



\*[REDACTED]. I meant, had [REDACTED] heard



New Message



**The Leader**

Tap here for settings



grab, would [REDACTED] be in on it?

[REDACTED] I meant, had [REDACTED] heard stories of [REDACTED] and [REDACTED]

APR 20 3:38 PM

I don't think [REDACTED] is but honestly who knows...and I never mentioned [REDACTED] in front of her but possibly [REDACTED] once or twice 🙄. If anyone talks to [REDACTED] she'll tell me Right aay

APR 20 4:49 PM



Ok. Good

APR 20 5:29 PM

MON, APR 22

FYI there is a chance that this [REDACTED] move was political and done/made up with the Mayor and Clerk. If so a) as soon as they can show that I may have told someone else (like you for instance), they could make it go



New Message

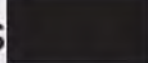


**The Leader**

Tap here for settings



MON, APR 22

FYI there is a chance that this  move was political and done/made up with the Mayor and Clerk. If so

- a) as soon as they can show that I may have told someone else (like you for instance), they could make it go public - at which time, they could already have 5 or 10 others set to "come forward" with coincidentally similar complaints
- 2) they could have promised those others that they too will be "settled with" by the city and given \$5,000 or \$6,000 each.

However, at this point I don't believe that is...


Tap for More

Also we should emphasize that a) she is young with no previous political employment and, despite warnings right off the top, expected a much more regimented and planned



New Message



 Back

## Message

2) they could have promised those others that they too will be "settled with" by the city and given \$5,000 or \$6,000 each. However, at this point I don't believe that is yet happening since none of my spies have tipped me off.

3) This is political and NOT an HR issue so the answers can't volunteer too much info and they have to be simple and clear. Did [REDACTED] regularly (or ever) call up and insult? No. She offered good positive feedback and was one our most available volunteers. Were people talking about sex in the office? No. Mention of one or two incidents was made so nobody did the wrong things things because they didn't know of the incidents. Was [REDACTED] ever asked to wear "provocative " clothing. No neither Rick or I ever asked her to do so and such would not have been appropriate at city hall or any of the events [REDACTED] went to anyway (except the Gonk PR thing at Show where we didn't ask her to do so anyway and Rick didn't even realize she was attending - thought [REDACTED] was but they both were). Did either you or Rick yell at [REDACTED]? Never. No.



**The Leader**

Tap here for settings



warnings right off the top, expected a much more regimented and planned routine which is not possible in politics. And 2) this is politics so outside people are always telling us what to do. Opponents are insulting everyone in our office and telling us how to improve. Supporters tell us how to improve doing our jobs. That's the way it is. And some can't do this job.

APR 22 9:30 AM

Well no one but ██████ knows you've told us so we should be fine. Who knows when they'll even talk to us



APR 22 3:13 PM



Bad. ██████ could severely damage with his report letter that clears us if word of an investigation goes out. Then I might have to just quit and sue Cleopatra for the equivalent of her house



New Message





**The Leader**

Tap here for settings



damage with his report letter that clears us if word of an investigation goes out. Then I might have to just quit and sue cleopatra for the equivalent of her house

That's what my lawyer wants - but of course he would want that

APR 22 3:19 PM

Of course a lawyer would want that

APR 22 7:12 PM



WED, APR 24

In Facebook , you know that it is supposedly NOT possible to delete both sides of a conversation. Supposedly you can only delete a conversation such that YOU can't see it. But the other person in the conversation can still keep/see it. BUT [REDACTED] has somehow deleted a conversation between her and me such that it is deleted to me



New Message





**The Leader**

Tap here for settings



WED, APR 24

In Facebook , you know that it is supposedly NOT possible to delete both sides of a conversation. Supposedly you can only delete a conversation such that YOU can't see it. But the other person in the conversation can still keep/see it. BUT [REDACTED] has somehow deleted a conversation between her and me such that it is deleted to me too. ...just sayin.

APR 24 5:34 PM

THU, APR 25

How the frig is that possible!?!?

Unless she figured out how to sign in to your personal fb

APR 25 9:38 AM



Maybe she did. But I'm not sure how



New Message





The Leader

Tap here for settings



to your personal  
APR 25 9:38 AM

Maybe she did. But I'm not sure how

Or she somehow got Facebook to cooperate with her

APR 25 4:47 PM

FRI, APR 26

He begged me not to sue her or the city - at least not if it doesn't go public.

APR 26 1:41 PM

SAT, APR 27

Oh, btw, cleopatra also said I was always threatening everyone's jobs

...without even being there?

APR 27 5:27 PM

WED, MAY 1



New Message





The Leader

Tap here for settings



...without even being there?

APR 27 5:27 PM

WED, MAY 1

Now that [redacted] is gone (as of today), somebody else has to do the timeline she was ultimately supposed to be doing for [redacted] the provincial minister and OPP.

MAY 1 10:34 AM

I don't know what that is?

MAY 1 9:31 PM



Ok. I'll tell you tomorrow

MAY 1 10:40 PM

TUE, MAY 7

I have just learned (from the Ontario Information and Privacy Commissioner As a confidential [redacted] that today the AG finished



New Message



**Appendix 45** - Text exchange between the Respondent and Complainant 1 regarding event (March 28, 2019)



+1 (613) 852-7425 >

Well that's what I thought...  
how can I help them now then?

Should I suggest a petition?

No

The further we handle this, the  
more they will see us as  
responsible for the problem -  
which we are not.

Ok

Thu, Mar 28, 6:19 PM

██████ told me that you  
canceled our event today.

She told me that you said you  
didn't want to go.

Then someone just told me that  
they saw you there



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+1 (613) 852-7425 >

they saw you there

Yup. [redacted] went instead

So did you cancel the event or just cancel with me?

Just with you since [redacted] was coming to the next one anyway

Ok.

Let's chat next time

... I did my hair for it 😬

Fri, Mar 29, 9:05 AM

Do we fund any summer camps that would allow students from financially disadvantaged homes to attend them? And is it possible to get free passes for those same students to the



iMessage



**Appendix 46(a)** - Text exchange between Respondent and Complainant 1 (May 27, 2019)



+1 (613) 852-7425 >

to include any others?

Yes. All of the people who wrote in on this issue that we promised to inform when it was time for them to act

Alright. What is the dead line for the email that they have to send to rentalhousingreview@gmail?

While I is unclear, June 10 is the best. Also note that the consultant doing the study is doing it from the opposite end that we want. They are looking at "how to meet the needs of students requiring housing" as opposed to mitigating the negative impact of students housing on neighbours



iMessage





**Appendix 46(b)** - Text exchange between Respondent and Complainant 1 (May 28, 2019)



+1 (613) 852-7425 >

cover police officers.

Tuesday the what?

June 4

Ok on it

If you have a chance today could you please send me what the graduation letter to the grade 6, 8, and 9 go on

Tue, May 28, 10:55 AM

Where can people find a copy of the consultants proposal for the rental study consultation, Who is the consultant

OMG you need to pay attention when I explain something to you. This was the most



iMessage





+1 (613) 852-7425 >

you. This was the most discussed issue during the last election. The consultant is former Councillor [REDACTED] [REDACTED] and the consultant company is [REDACTED]. There is no proposal. This is that. They are the company hired to do the study off the City's list. They will present recommendations to Council and PART OF IT will talk about residential room rentals around the College. We want the recommendation to support my residential room rental proposal.

Tue, May 28, 3:27 PM

I'm having trouble opening the grad letters you sent to my rick email, [REDACTED] says it's because it's " embedded" or " a closed



iMessage



**Appendix 46(c)** -Text exchange between Respondent and Complainant 1 (May 26, 2019)



+1 (613) 852-7425 >

place or is it at the church?

The church

This concert is really good. It's classical

Sun, May 26, 5:28 AM

OMG we have almost no time. We have to get people out to the rental housing study's consultation on Student housing at Ben Franklin Place May 29, 2019 6:30 pm to 8:30 pm. Others have to be told what to email to: [rentalhousingreview@gmail.com](mailto:rentalhousingreview@gmail.com). (They have to say they want a residential room rental by-law that keeps a limit on the number of rooms rented out in



iMessage





+1 (613) 852-7425 >

that keeps a limit on the number of rooms rented out in a residence to three and that requires that homeowners agree to allow an inspection of their house in exchange for the right to rent out one, two or three rooms and that the by-law cover only a tight geographical area around the college of something like a 2 km radius)

Sun, May 26, 8:33 AM

Ok how can I let people know?

First thing tomorrow. We have people who have written and/or who we have encountered during the election or at public meetings. The have to be emailed and asked to send an email asking that the study



iMessage



**Appendix 47** - Initial Facebook messages between Respondent and Complainant 2  
(January 4, 2015)

10:51



## Rick Chiarelli

8 mutual friends including [REDACTED]

Lives in Ottawa, Ontario

JAN. 4, 2015 AT 12:32 A.M.



Thanks for coming out to our event! It meant a lot to a lot of people. [REDACTED] has real good friends, doesn't she 😊

JAN. 4, 2015 AT 7:33 A.M.

No problem! Thanks for having me! It was a lot of fun 😊

SEP. 30, 2015 AT 3:01 P.M.

Hi Rick, I hope you're well! I just thought I would reach out to you because I'm currently on the job hunt and am trying to contact many of the people I know to see if they know anyone hiring. Would it be ok if I sent you my resume?

SEP. 30, 2015 AT 6:14 P.M.



Yes, please do. If you want, we can meet for coffee and see what you can do and what's available at the city.



And that would best happen soon as we will quickly hit our busiest time of year

SEP. 30, 2015 AT 7:32 P.M.

Oh I would love that!! When are you available?!



available?!

SEP. 30, 2015 AT 9:17 P.M.



Does after 4:30 on Friday or after 3:00 on Saturday or after 11:00am on Sunday work for you? If not, I can shoot some more times. I can also do nights although you are probably fighting crime and mayhem at those hours.

Haha at my current job I work til 5 but could do after 5 on Friday if you're available?

I can push the fighting crime back a few hours 😊



Ok which part of town will you be in at 6:00 or 7:00pm?

I live around [REDACTED] and [REDACTED] and my current office is just off hunt club at Antares, so roughly that area



Ok where is good to go there?

No idea... there is Tim Hortons pretty much anywhere, there is a Starbucks near the Canadian tire off merivale, and there is also a second cup off merivale



Ok Starbucks. That one. 7pm? If you are going to be in character, tell me which one. Nvm it would be obvious.

Haha no I will be normal, which might actually be harder to recognize... but I should be able to recognize you 😊

But sounds good! Thank you so much!



No problem. And I won't blow your cover

Awesome 😊

OCT. 2, 2015 AT 7:02 P.M.

Awesome 😊

OCT. 2, 2015 AT 7:02 P.M.

Hi Rick! I just want to make sure that I specified which Starbucks incase you might have gone to another, but I'm at the one at hunt club and merivale. If you're running late no worries 😊 just didn't want you to be waiting somewhere else.



I'm late but close

No worries! Take your time 😊

OCT. 2, 2015 AT 10:57 P.M.



Good meeting you. Very informative

OCT. 3, 2015 AT 12:45 P.M.



Good afternoon Rick! Agreed, was good meeting with you too! I'm really excited at the prospect of working with you! My cell is [REDACTED]. I'll send you my resume in an email as well once over finished up some errands today. If you have any questions, or just want to say hi, send me a text

DEC. 30, 2015 AT 11:19 A.M.

**Appendix 48** - Photo of Complainant 2 from her Instagram account in a costume that exposed her abdominals



Liked by [redacted] and others

[redacted] Ready for the New Years Eve charity event! Thank you [redacted] for letting me borrow your fantastic costume! #xmen #scottsummers #cyclops #cosplay #cosplaygirl #cosplayer #newyeartheve #charity #MADD #nerd #geekgirl #fit #fitness #ottawa

View all 4 comments

December 31, 2014

**Appendix 49** - Text exchange between Respondent and Complainant 2 (September 11, 2016)



SEP. 11, 2016 AT 12:23 A.M.



Despite the fact that they are cape-free, They are Crime fighters

Who are crime fighters?



By law.

Ah yes. Look at them go, they're not the hero's we need, but the hero's we deserve



[REDACTED] has dropped a new YouTube offering. She also wants to meet with me privately.

New YouTube offering?

Her singing a toc lo song



\*tov

Tov lo

Ah yes

Do not meet with her.... bad idea

Do not meet with her... bad idea



She says it would have to be secret. Maybe she wants to persuade me to do background vocals for her.

Clearly that's it... what reason could she have to want it to be secret?

I don't know. She said I would understand later. Maybe she thinks she will be the first to try feminine manipulation

She has nice hair



It masks the trickiness completely

Haha all I can think of is mean girls "that's why her hair is so big.... it's full of secrets!!"

SEP. 11, 2016 AT 1:17 A.M.



She is a danger or, at best, a simple innocent princess

NOV. 24, 2016 AT 9:13 A.M.

**Appendix 50** - BBM exchange between Respondent and Complainant 2 (November 7, 2017)



2:28 PM



2:29 PM



Also, FYI, [redacted] still longs for [redacted]'s asset. But once he could bare to move on, [redacted] was hooking up with an average of 16 different females per month. And all for free! "but it's just not the same"

2:29 PM



2:30 PM

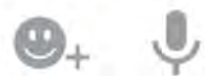


3 per weekend and one mid week

2:30 PM



Enter a message



← Rick Available



2:30 PM



• 3 per weekend and one mid week

2:30 PM

R



2:30 PM



• And he talked about [redacted] to many of them

2:30 PM

R



2:31 PM

Enter a message



**Appendix 51 - Text exchange between Respondent and Complainant 2 (February 7, 2018)**



Rick Chiarelli



Do they have any legal obligations to cover these costs?

He says they do but he would never let us see the contract. That was another sore point with me. However I suspect it is a real no stretcher and they are not required to pay anything like that

At the BIA last night [REDACTED] was doing his best to try to poach [REDACTED] from us

2018-02-07, 8:20 AM

R

I witnessed a few technical sexual harassment by him on her

Oh Yeah? Like what?

Like "I wouldn't mind being seen around town with her on my armS (sic)"

Not really harassment. Just piggy

Also [REDACTED] is not really all that. But she does carry herself very well and is super friendly so I think that creates the illusion of attractiveness?

Or is attractiveness but in a different way

R

Also This morning I am suddenly way more sore! It shouldn't be, we're #OTOB (on time and on budget) so it should all be good.



Text message



SMS

**Appendix 52** - Text exchange between Respondent and Complainant 2 (February 11, 2018)

**Me:** That's pretty damn impressive  
9:47 PM

February 11, 2018

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**Rick Chiarelli:** I will be a bit longer  
11:04 AM

**Me:** K, I'm just getting a tea and bagel  
11:05 AM

**Rick Chiarelli:** Do you have the number for [REDACTED] (sp) who is helping with Italo Tiezzi? Remember we did the moustache photo  
2:00 PM

**Me:** I dont... It might be in ACT...  
2:13 PM

February 12, 2018

**Me:** We're you are able to talk to [REDACTED]? I was also wondering if I should message [REDACTED] and [REDACTED] or if you wanted to?  
7:21 AM

**Rick Chiarelli:** [REDACTED] will get back to me this morning. I will message [REDACTED] and [REDACTED]  
7:22 AM

**Me:** Ok sounds good  
7:22 AM

**Rick Chiarelli:** I spoke with [REDACTED]  
10:07 AM

**Me:** And?  
10:07 AM

**Rick Chiarelli:** She began by saying that she has an autoimmune disease and that if you do you have to be very careful because stress can cause actual organ damage and other problems for the future.  
10:12 AM

**Rick Chiarelli:** Then she told me that the standard to expect is that the doctor will recommend you go off for eight weeks and then do another evaluation. She said we have a procedure for that but is not known by most people on the court stuff so she is telling the court staff about that as we speak  
10:13 AM

**Rick Chiarelli:** You will have to produce a doctors note to that effect eight weeks or whatever s/he recommends. Then the clerk will pay over half of a temporary replacement. That is the short term situation. If you end up on Long Term Disability after that, it all works a bit differently  
10:15 AM

**Me:** Really?! I didn't know about the organ damage thing no one has ever mentioned that... Ok so I make the doctors appointment and then get a note and provide it to you?  
10:16 AM

**Rick Chiarelli:** So I will slot ██████ in there  
10:16 AM

**Rick Chiarelli:** Yes that's right.  
10:16 AM

**Rick Chiarelli:** ██████ can be released from us if th Doctor sends you back to us before the election  
10:17 AM

**Rick Chiarelli:** ██████'s first remark was "thank God this didn't happen in July "  
10:18 AM

**Me:** Ok sounds good. Thank you very much. Also yeah I was thinking the same thing.  
10:19 AM

**Rick Chiarelli:** The good thing is this does not give her any kind of lower the opinion of you  
10:19 AM

**Rick Chiarelli:** However me speaking at the CHRI meeting while sporting a concussion is a completely different story  
10:20 AM

**Rick Chiarelli:** She said Rick you are smarter than COUNCIL or ██████ what the hell got into you?  
10:20 AM

**Me:** She was mad at you for not taking care of yourself eh? Also thank god, I was a bit worried ██████ might not like this and I have a lot of respect for her as well  
10:26 AM

**Me:** So I just ran into an issue. My doctor apparently won't see anyone until Feb 27th she's sick or something. The other doctor there won't "do any forms" because I explained I'm off work at the moment and need to see my doctor if I'm going to go on stress leave. I'm not sure if walkin doctors do that kind of thing...  
10:27 AM

**Me:** I explained the situation and asked what am I supposed to do and they had no solution for me...  
10:29 AM

**Rick Chiarelli:** Well that's very odd but maybe we will proceed as though you have a Notes  
10:52 AM

**Me:** Ok sounds good. Either way I took the earliest appointment they had which was Feb 27th  
10:53 AM

**Rick Chiarelli:** So I will tell the courts office dad for various reasons we are confident you're going to get a note in so we will proceed that it's going to be at Baystate weeks because apparently in weeks is what doctor is almost always due on the first phase of valuation  
10:55 AM

**Me:** Ok sounds good  
11:14 AM

**Me:** Hey so what will ██████ be taking over for budget? I can probably easily write her some How To's on that, but I don't want to assume she's doing more than she is  
1:44 PM

**Me:** She doesn't have signing authority atm either

1:45 PM

February 13, 2018

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**Rick Chiarelli:** How are you now? I cut you off yesterday to deal with that Italo tiezzi stuff

4:55 PM

**Me:** I'm alright, I'm realizing a while lot of other issues I've been having lately might be caused by or worsened by stress. How did it go with your dad?

5:19 PM

**Rick Chiarelli:** For sure it would be

5:26 PM

**Rick Chiarelli:** It was sad with my dad. Different than I anticipated. He didn't move straight to crying. He started with several long, gruff clearings of his throat.

5:27 PM

**Me:** That must have been really hard to watch...

5:42 PM

**Rick Chiarelli:** Yes. True. As far as [REDACTED] and the budget goes, it will be whatever she needs to know how to do which will be needed doing over the next 8 weeks at least. So reconciliation of visa, paying bills etc.

7:05 PM

**Me:** Ok perfect

7:07 PM

**Rick Chiarelli:** Also. Who has the head cam? Does [REDACTED] know how to use it yet?

7:08 PM

**Me:** I think [REDACTED] does... and I don't think she does, but honestly she should be able to just Google it/read the manual... that's what I did. You should tell her to take it home tomorrow night and test it out

8:02 PM

February 14, 2018

**Rick Chiarelli:** [REDACTED] says she thinks you have it from the crime meeting.

9:51 AM

**Me:** Hmm... I might have it in my car then. I'll message her and see if she can meet me tonight

10:12 AM

**Rick Chiarelli:** Can [REDACTED] use your parking pass the next 2+ weeks while you are away so I can get her to do some car enabled things?

4:29 PM

**Me:** Sure, I thought she didn't have a working car though? She said it was still in the shop

4:38 PM

**Rick Chiarelli:** I think it's fixed or she's just complaining. I can get it and the go pro tonight from Bfp if you want

4:54 PM



**Rick Chiarelli:** Also ██████ asked about you today  
4:54 PM

**Me:** I already dropped the gopro off at BFP today and plugged it in to charge it. Oh Yeah? Just how I'm doing?  
4:56 PM

**Rick Chiarelli:** Yes. Just how you're doing and reiterating the need to fix this now and not be a "prude driven fool". I told her you were already thinking the same.  
4:59 PM

**Rick Chiarelli:** \*pride  
4:59 PM

**Rick Chiarelli:** Not "prude"  
4:59 PM

**Me:** Haha you mean like when you had a concussion? 😊  
5:05 PM

**Rick Chiarelli:** Hahaha  
5:12 PM

**Me:** To be fair you nay still have the effects of a concussion  
5:26 PM

**Rick Chiarelli:** I KNOW I do  
5:26 PM

**Rick Chiarelli:** extreme short term memory is occasionally a problem.  
5:27 PM

**Rick Chiarelli:** But improving I believe  
5:27 PM

**Me:** Still that bad? 😬 Oh, I meant to ask, is it ok for my to put an auto response on my email? And is there something specific you want me to say or not say? (I was going to direct them to your email)  
5:27 PM

**Me:** My mom's memory was really bad from her concussion, it was scary  
5:28 PM

**Rick Chiarelli:** Yes you can do that  
5:29 PM

**Rick Chiarelli:** Mine isn't scary.  
5:29 PM

**Me:** That's good  
5:33 PM

February 16, 2018

**Rick Chiarelli:** The 21 Withrow meeting last night went fairly well... but the moderator let it go too long.  
7:42 AM

**Appendix 53** - Text message from Respondent's political challenger seeking "a critical mass"



Delivered

Friday 10:38 AM

Hey love

Hope all is going well at conference still

Just wondered if your friend that worked for Rick Chiarelli might be interested in going to the media? There are a few other women who experienced the same thing from him.

And we are looking for a critical mass



iMessage

