



ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

DR. BYRAM BRIDLE

Plaintiffs

- and -

UNIVERSITY OF GUELPH, JEFFREY WICHTEL, LAURIE ARNOTT, CHARLOTTE YATES, SCOTT WEESE, GLEN PYLE, ANDREW PEREGRINE, DOROTHEE BIENZLE, AMY GREER, DAVID FISMAN, NICK DULEY, JANE OR JOHN DOE JUNIOR SCIENTIST

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service, in this court office, **WITHIN TWENTY DAYS** after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside of Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, A JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

IF YOU PAY THE PLAINTIFFS' CLAIM, and \$10,000.00 for costs, within the time for serving and filing your statement of defence you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the Plaintiffs' claim and \$400 for costs and have the costs assessed by the court.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date: Issued by:

Address of Local Office: 393 University Ave.
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AND TO: David Norman Fisman
Division of Epidemiology, Dalla Lana School of Public Health
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M5T 3M7
Email: david.fisman@utoronto.ca
Tel: 416 978 6866

CLAIM

1. The Plaintiff claims:
 - (a) general damages as against the Defendants jointly and severally, in the amount of \$500,000.00;
 - (b) Restitution damages as against the University Defendants jointly and severally, in the amount of \$1, 500,000.00 with respect to lab equipment and loss of grants and research funding;
 - (c) aggravated damages as against the Defendants, jointly and severally, in the amount of \$500,000.00;
 - (d) punitive damages as against the Defendants, jointly and severally, in the amount of \$500,000.00;
 - (e) prejudgment and post judgment interest pursuant to s. 128 of the *Courts of Justice Act* R.S.O. 1990 c. C43; and
2. A Declaration that publicly-funded universities, governed by statute, and the conduct of their administration and personnel, are subject to constitutional review under, *inter alia*, ss.24(1) 32, and 52(1) of the *Constitution Act, 1982*.
3. An interim and permanent injunction to be granted to the Plaintiff, ordering the University of Guelph to allow the Plaintiff to freely be present at the University campus, and in particular at his lab and office, in the Pathobiology Building, without conditions or interference from the University, to pursue his work.
4. costs of this action on a substantial indemnity basis and such further or other relief as this Court deems just.

THE PARTIES

The Plaintiff

- ***Dr. Byram Bridle***

5. The Plaintiff, Dr. Byram Bridle (“Plaintiff”) is an Associate Professor of Viral Immunology in the Department of Pathobiology at the University of Guelph. He holds a MSc and PhD in immunology and a post-doctorate in viral immunology. His academic appointment as an independent researcher and faculty member of the Ontario Veterinary College at the University of Guelph commenced in January 2012. In December 2017, the Plaintiff was awarded tenure at the University of Guelph. He is a member of the University of Guelph Faculty Association (“UGFA”).
6. The Plaintiff’s research program at the University of Guelph focuses on the development of vaccines to prevent infectious diseases and to treat cancers, as well as studying host immune responses to viruses, for humans.
7. The Plaintiff has received and relies on numerous grants and funding to support his cancer research, and basic viral immunology research programs, including from the:
 - (a) Canadian Institutes of Health Research;
 - (b) Natural Sciences and Engineering Research Council of Canada (NSERC);
 - (c) Terry Fox Research Institute;
 - (d) Canadian Cancer Society;
 - (e) Cancer Research Society;
 - (f) Canadian Breast Cancer Foundation;
 - (g) Ontario COVID-19 Rapid Research Fund;

- (h) University of Guelph/Ontario Veterinary College/Department of Pathobiology COVID-19 Seed Funding;
 - (i) National Centre of Excellence in Biotherapeutics for Cancer Treatment (BioCanRx);
 - (j) OVC Pet Trust;
 - (k) The Smiling Blue Skies Cancer Fund;
 - (l) Canadian Foundation for Innovation - John R. Evans Leaders Fund;
 - (m) Canadian Foundation for Innovation - Infrastructure Operating Funds;
 - (n) Ministry of Research and Innovation Ontario Research Fund - Research Infrastructure Program.
8. The Plaintiff currently has seventy-four (74) peer-reviewed publications in high-quality scientific journals that are indexed on “PubMed”, which is operated by the United States National Institute of Health. Most of these publications involve long-term studies, often spanning several years. The average impact factor of the Plaintiff’s publications far exceeds that of most of his colleagues at the University of Guelph. The Plaintiff routinely publishes in journals with impact factors exceeding five (5). As such, most of the Plaintiff’s publications rank in the top 5-10% of the scientific literature, in terms of their importance. The Plaintiff has one additional manuscript that was recently accepted for publication in the journal *Frontiers in Immunology*, which has an impact factor of 7.561, as well as other manuscripts that are currently under review. The Plaintiff has published forty-one (41) peer-reviewed papers since the beginning of 2020 alone.
9. Since 2020, the Plaintiff has secured two grants to support COVID-19-focused research, which were exceptionally difficult to secure. In 2021, the Plaintiff was the only applicant from the Department of Pathobiology to successfully obtain funding from the Natural Sciences and Engineering Research Council of Canada (NSERC): a five-year grant.

10. The Plaintiff has brought millions of dollars of operating funds to the University of Guelph over his tenure as a faculty member. This included agencies that the University of Guelph had never received funding from before, including a very prestigious grant from the Terry Fox Research Institute, and another one from the Canadian Centre of Excellence in Biotherapeutics for Cancer Research. Furthermore, the Plaintiff has acquired more than one million dollars worth of research equipment, which included upgrading the University's core flow cytometry facility to the state-of-the-art facility it is today, and is a resource used by many labs across the campus.
11. The Plaintiff's research lab and office are located, on two different floors, in the Pathobiology Department building at the Ontario Veterinary College ("OVC") Pathobiology/Animal Health Lab Building (PAHL). Since its establishment in the Pathobiology building, his research lab has been one of the most active, productive, and successful in the Department.
12. The Plaintiff also teaches several courses at the undergraduate and graduate level on the topics of immunology, virology, and cancer biology at the University of Guelph. The Plaintiff has consistently received excellent ratings by students during their end-of-course evaluations, well above the faculty average. The Plaintiff has received many teaching awards. The Plaintiff has always executed his teaching responsibilities successfully at the University of Guelph. The Plaintiff has twice been elected as an honorary class president, meaning, he was voted top professor of the year (an honour which can only be held a maximum of once per four years.) He has also received the top teaching awarded by North American Veterinary Schools. The Plaintiff's overall average for teaching is 4.75/5.0 (or the equivalent of 95/100).
13. The Plaintiff also trains Canada's next generation of multidisciplinary researchers. Within the context of his research program, the Plaintiff has trained three (3) research associates, six (6) postdoctoral fellows, six (6) PhD students, ten (10) MSc students, nineteen (19) summer

undergraduate research assistants, seven (7) undergraduate research project students, three (3) students from the Work-Study program at the University of Guelph, and five (5) high school students as part of the Sanofi BioGENEius Challenge Canada program.

14. The Plaintiff is recognized as an outstanding reviewer of Health Research and for excellence in teaching in his field.
15. The Plaintiff is a member of the Canadian Oncolytic Virus Consortium (COVC). The COVC is a prestigious Pan-Canadian consortium of highly qualified and respected scientists and researchers in their respective fields.
16. The Plaintiff has served as an expert witness in the field of immunology and also has expertise in virology. He is one of the few Canadian scientists who have expertise in both fields.
17. Due to his expertise in **both immunology and virology**, in March 2020, the Plaintiff **received funding from the Government of Ontario and, on December 2020, from the Government of Canada to develop vaccines against COVID-19**. This funding was from the COVID-19 Rapid Research Fund, Ministry of Colleges and Universities and the federal government's Pandemic Response Challenge Program, National Research Council of Canada. The Plaintiff's COVID-19 research focuses primarily on the development of vaccines to prevent infectious diseases, as well as study the body's immune response to viruses. The Plaintiff's cancer research has progressed into four (4) human clinical trials.
18. As a senior viral immunologist and as a research and developer of vaccines, including COVID-19 vaccines, the Plaintiff is a strong proponent of using high quality vaccines in a correct and evidence-based manner.
19. Since the beginning of the COVID-19 pandemic declaration, the Plaintiff has closely followed the scientific research and evidence-based data on COVID-19. Based on his knowledge acquired from this research, the Plaintiff provided evidence-based, balanced scientific information to the

public and policy makers to assist members of the public with making fully informed decisions, as a public service, and, in response to requests from the public, including the media. All his statements are founded on scientific data. As an outstanding reviewer of health research he has, and continues to remain, informed of publications and studies related to COVID-19.

- **The Defendants**

- **University of Guelph**

20. The Defendant, The University of Guelph, a body under s.2 of the *University of Guelph Act S.O. 1964, C.136* (the “ACT”), is a public university and an educational institution as defined under s.1 of the *University of Guelph Act S.O. 1964, C.136* section 5.1(2) of the *Ministry of Training, Colleges and University Act*, R.S.O. 1990, and section 2(1) of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 2005, and was at all material times the Plaintiff’s employer. The objective and purpose of the Defendant University of Guelph is the advancement of learning and distribution of knowledge, and, *inter alia* the intellectual development of its members and of the betterment of society as set out in s.3 of the *University of Guelph Act*. The University has a duty to treat the Plaintiff in a fair, non-arbitrary fashion, in accordance with the civil and criminal law and is vicariously liable for mistreatment of the Plaintiff, by other University employees, particularly those who hold a supervisory role and power and control over the Plaintiff, particularly when the University President has been apprised of that mistreatment.

- **Dr. Jeffrey Wichtel**

21. The Defendant Dr. Jeffrey Wichtel (“Wichtel”) was at all material times the Dean of the University of Guelph’s Ontario Veterinary College as defined under s 11(b) and 12(b) of the *University of Guelph Act* and, as such a holder of public office. He studies animal nutrition, disease, production, and reproduction, and has specialized in trace element and vitamin nutrition

in ruminants and horses. Wichtel is not a viral immunologist. He holds a supervisory role, power and control over the Plaintiff, and in addition to being personally liable for his mistreatment of the Plaintiff, is vicariously liable by others under his supervision and control who mistreated the Plaintiff.

- **Laurie Arnott**

22. The Defendant, Laurie Arnott (“Arnott”), a lawyer by training, was at all material times the Vice President of Faculty Relations at the University of Guelph a senior administrative officer of the University of Guelph as defined under s.11(b) of the *University of Guelph Act*, and, as such a holder of public office. She was at all materials times employed by the University of Guelph. She holds a supervisory role, power and control over the Plaintiff, and in addition to being personally liable for her mistreatment of the Plaintiff, is vicariously liable by others under her supervision and control who mistreated the Plaintiff.

- **Charlotte Yates**

23. The Defendant, Charlotte Yates, (“Yates”) is the President and holder of public office as set out in s.14 of the *University of Guelph Act (“Act”)*, and the Vice-Chancellor and CEO of the University of Guelph. As the president, Yates has supervision and direction of the academic work and general administration of the University including over the co-defendants, Arnott, Wichtel, Weese, Bienzle, Pyle, Peregrine, and Greer as set out in the *Act*. It is her duty to supervise and regulate the conduct of Wichtel and Arnott to act in compliance of, not only the objectives of the University, as personnel and employees under the *Act*, but also other legal requiremenst under the law. The University has a duty to treat the Plaintiff in a fair, non-arbitrary fashion, in accordance with the civil and criminal law and is vicariously liable for mistreatment of the Plaintiff, by other

University employees, particularly those who hold a supervisory role and power and control over the Plaintiff, particularly when the University President has been apprised of that mistreatment.

- **Dr. J. Scott Weese**

24. The Defendant, Dr. J. Scott Weese (“Weese”), is a veterinary internist and microbiologist, and was at all material times employed by the University of Guelph Ontario as a Professor , as defined under s.1(g) of the *Act*, at the Ontario Veterinary College. Weese’s office is located in the Centre for Public Health and Zoonoses. Weese was appointed a member of the Ontario Science Table in January 2021. He is not a viral immunologist.

- **Dr. Glen Pyle**

25. The Defendant, Dr. Glen Pyle (“Pyle”), is a Professor, , as defined under s.1(g) of the *Act*, in the Department of Biomedical Sciences at the University of Guelph and has a PhD in Physiology and Biophysics. His research investigates the molecular basis of heart failure, and the development of novel therapies for the treatment of heart attacks and chronic heart failure, as well as how menopause increases the risk of heart disease in women, and sex differences in heart function. Pyle was at all material times employed by the University of Guelph. He is not a viral immunologist. His office at the University of Guelph is located at Biomedical sciences building, at Biomed 1646E.

- **Dr. Andrew Peregrine**

26. The Defendant, Dr. Andrew Peregrine (“Peregrine”), is an Associate Professor , as defined under s.1(g) of the *Act*, in clinical parasitology at the Ontario Veterinary College (“OVC”). Andrew Peregrine was at all material times employed by the University of Guelph. He is not a viral

immunologist. His office at the University of Guelph is in the Pathology building at PAHL 3825 where the Plaintiff's office and lab are located.

- **Dr. Dorothee Bienzle**

27. The Defendant, Dr. Dorothee Bienzle, ("Bienzle") has a Doctorate in Veterinary Medicine and has a PhD in Immunology. Bienzle's research focused on feline immunity and the role of the epithelium equine asthma and has diagnostic expertise in hemolympathic neoplasia. Bienzle was, at all material times, also a Professor, as defined under s.1(g) of the *Act*, Researcher, and employed as a Veterinary Pathologist at the University of Guelph. She was at all material times employed by the University of Guelph. She is not a viral immunologist. Her office at the University of Guelph is in the Pathology building, at PAHL 3822, where the Plaintiff's office is located.

- **Dr. Amy Greer**

28. The Defendant, Dr. Amy Greer ("Greer"), is the Canada Research Chair in Population Disease Modelling and Associate Professor, as defined under s.1(g) of the *Act*. She was at all material times employed by the University of Guelph. She is not a viral immunologist. Her office at the University of Guelph is located in the Stewart Building.

- **Dr. David Norman Fisman**

29. The Defendant, Dr. David Fisman's ("Fisman"), is an Epidemiologist who researches the epidemiology of infectious diseases, including community-based and hospital acquired pneumonia, epidemiology of enteric infections, sexually transmitted infections, laboratory datasets as epidemiological resources, infectious diseases, seasonality, environment, and climate

change. Fisman was at all material times a professor of epidemiology at the University of Toronto, Dalla Lana School of Public Health. Fisman was a member of the Ontario Science Advisory Table (Science Table) until he resigned on or about August 23rd, 2022, claiming that the Science Table had become too political. However, on January 27, 2022, prior to resigning, the Ontario government raised concerns about a conflict of interest given his paid role at the Elementary Teachers' Federation of Ontario. Fisman has received research funding from Novartis Pharma Canada Inc, Novartis Vaccines Canada, GlaxoSmithKline Canada, and the Centre for Disease Control (“CDC”). Fisman is not a viral immunologist.

- **Nick Duley**

30. Nick Duley (“Duley”) is a designated “Certified Human Resources Leader” and works for Northshore HR Consulting Inc. as a Workplace Investigator. On July 29, 2021, Duley was appointed by the University of Guelph to conduct an “investigation”. On November 9, 2021, Duley prepared a report entitled “Re: Investigation of complaints against Dr. Byram Bridle Workplace Harassment Prevention Policy,” which was addressed to Arnott. Duley owed a duty of care when investigating the incident and drafting the report. Duley was negligent in how he carried out his investigation, wilfully ignored relevant information, and further acted as a co-conspirator along with the other Defendants, to injure the Plaintiff.

- **John or Jane Doe “Junior Scientist” Creator(s)/Owner(s) of the Website Byrambridle.com and fake Twitter Account @ByramBridle**

31. These Defendant(s) are currently unknown to the Plaintiff, but are those individuals who colluded and/or conspired with the co-defendants, Fisman, Pyle, and Weese, and created the website byrambridle.com and the corresponding Twitter account @ByramBridle, as well as created and

published all content, in order to impersonate, harass, injure, and ruin the reputation and economic interests of the Plaintiff.

32. The Plaintiff states that all the University-employed Defendants, defined and set out by statutory reference under the *Act*, are public office holders.

33. The Plaintiff further states that, all the University-employed Defendants, beyond statute and fiduciary duty at common law with respect to his superiors, owe a fiduciary duty of care as colleagues under their Code of Conduct to the Plaintiff, not to engage in tortious or criminal conduct.

THE FACTS

34. The Plaintiff is an expert in immunology and in virology. None of the Defendants have the Plaintiff's expertise in both immunology and virology. None of the Defendants are viral immunologists.

35. Unlike the Plaintiff, none of the of the Defendants are involved in research or development of vaccines.

36. The Plaintiff is not, and has never been, "anti-vaccination". The Plaintiff studies, develops, and researches vaccines. His career is built on the creation of vaccines.

37. The Plaintiff has conducted research and development of vaccines at the University of Guelph for over a decade. This research is dependent on funding from third party donors/grantors.

38. In 2020 and 2021, the Plaintiff was granted funding by both Federal and Provincial governments to develop a Canadian COVID-19 vaccine. This research is ongoing, and consequently, the Plaintiff follows the scientific literature on COVID-19 in general, and COVID-19 vaccines, in particular, very closely.

39. Since the Declaration of the COVID-19 pandemic, and given his specialization in viral immunology and all aspects of the Severe Acute Respiratory Syndrome – Coronavirus V2 (SARS -CoV-2), the Plaintiff has provided scientific expertise, as a public service, to the community, including to the media, on research and science related to COVID-19 and public health policies and mandates when requested, including to CBC News, Global News, Fox News, and the Globe and Mail. As of July 2022, the Plaintiff has provided over two hundred (200) media interviews and speaking engagements on COVID-19 related issues.
40. On Monday August 17, 2020, the Plaintiff presented as a keynote speaker at an international conference on COVID-19 at the New Zealand's COVID-19 Science and Policy Symposium. At this symposium, the Plaintiff publicly raised concerns about the short-cuts in the research and development of the COVID-19 vaccines by international pharmaceutical companies for profit at the time.
41. Thereafter, the Plaintiff continued to participate as an independent scientific expert of COVID-19 vaccines in the media and on discussion panels and presentations.
42. The Plaintiff did not, and does not, have any conflicts of interests and his views were welcome as a scientist with deep integrity and independence. He performed the role of sharing his expertise as a public service and not for monetary compensation or gain. His candid and honest discussion of the scientific data gained popularity.
43. On November 25, 2020, the Vice President of Research for the University of Guelph, Dr. Malcolm Campbell, held a meeting with the Plaintiff and two of his close faculty colleagues, and warned the Plaintiff to censor his speech on COVID-19 matters and withdraw from public appearances altogether. This caused the Plaintiff mental anguish because he had performed this duty as a public servant, on request, to inform the public on matters within his field of expertise, but he was socially

and professionally chastised. Campbell did not give any reasons for his purported dictate which was not in keeping with academic freedom.

44. On November 27, 2020, the Plaintiff was invited by Dr. Forbes of the Public Health Agency of Canada to apply to join the National Advisory Committee on Immunization (NACI) as a volunteer to provide the Government of Canada with his scientific expertise on viral immunology on the COVID-19 vaccines and anti-bodies. NACI did not, and still does not, have a voting member with a specialization in virology and immunology, like the Plaintiff.
45. On December 1, 2020, CTV National News, interviewed the Plaintiff for an episode of W5, where the Plaintiff expressed concerns about the short research timelines in the development of COVID-19 vaccines, which had moved into human clinical trials at that time.
46. During the interview, the Plaintiff indicated:
 - (a) That he is a vaccinologist and therefore could not be, and was not “anti-vaccination”;
 - (b) That he believes that vaccines are valuable for society and that, in fact, the Plaintiff’s career depends on vaccine development; and
 - (c) That he was concerned about the duration of immunity, where, if the vaccination did not have a sufficient duration, that the populations who were vaccinated first would lose their immunity while other populations were still being vaccinated, and therefore there would be insufficient immunity, leading to the virus spreading again through the initially vaccinated people.

These concerns are true, as the COVID-19 vaccines are now understood to lose their effectiveness very quickly (90 days or so).

47. On December 9, 2020, Health Canada issued emergency authorization of the Pfizer-BioNTech vaccine, with the rollout efforts beginning on December 14, 2020. The agency later authorized the Moderna vaccine on December 23, 2020.
48. On January 2, 2021, the CTV media interview of the Plaintiff on W5 episode was televised nationally. This high-profile interview gained national and international attention.
49. On January 15, 2021, the Plaintiff was a keynote speaker at the Dalla Lana School of Public Health, “COVID-19 Panel Discussion: A Vaccine Recovery”. He was invited by the Infectious Disease Working Group of the Dalla Lana School of public Health to be part of a panel discussing COVID-19 vaccines.
50. The panel discussion was open to the public and recorded. The Plaintiff provided candid discussions about some of his concerns with respect to the vaccines, which were then in development and, still in clinical trials. Ninety percent (90%) of all questions to the panel, from the public, were directed to the Plaintiff. The public interest in the Plaintiff’s presentation was overwhelming.
51. On February 26, 2021, Health Canada authorized the Oxford–AstraZeneca vaccine for use, until its discontinuance on March 29, 2021, for ages 55 and under, for concerns over blood clots, which concerns about blood clots the Plaintiff had first raised on August 17, 2020.
52. On March 3, 2021, the Plaintiff co-authored a letter with his immunology and virology colleagues to University of Guelph President, the Defendant, Yates and the Provost, Dr. Chapman, to provide recommendations and to assist in developing a plan for in-person learning to restart again in the Fall 2021.

53. On March 5, 2021, a similar version of the letter was also sent to the Medical Officer of Health for Wellington-Dufferin-Guelph Public Health. On March 16, 2021, the letter was published as an “open letter” to the public.
54. On March 11, 2021, the Plaintiff, along with other senior immunologists at the University of Guelph, met with Dr. Cate Dewey, Vice-President Academic, to discuss the University of Guelph’s position on vaccine mandates. At this meeting Dr. Dewey indicated that she was aware of the Plaintiff’s concerns about the COVID-19 vaccines and would not support mandatory vaccination at the University of Guelph. The University confirmed it had consulted with a lawyer advising against mandatory vaccination. Furthermore, the University had created a system to allow students to report any concerns with respect to vaccine coercion. (However, eventually, on September 24, 2021, the University of Guelph implemented a mandatory COVID-19 vaccination policy, contrary to the March 11, 2021 assertions, and barred unvaccinated students and faculty members from attending campus).
55. On March 23, 2021, the Plaintiff co-authored an open letter with his University of Guelph immunology colleagues, Drs. Bonnie Mallard and Niel Karrow, setting out the safety and efficacy consensus of “COVID-19 vaccines,” which had been authorized by Health Canada for interim emergency use and not approved. This letter was widely circulated, nationally and internationally.
56. On April 15, 2021, the Defendant, Weese, criticized the Plaintiff for the public statements he was making. Weese attempted to intimidate the Plaintiff at the monthly Pathobiology Department meeting, by telling him to curtail his discussions and that the Plaintiff and another colleague “needed to be careful about [their] messaging to the public”.
57. On May 27, 2021, the Plaintiff was interviewed by Global News correspondent Alex Pierson on the program “On Point.” The Plaintiff gave honest and unbiased answers, supported by multiple

peer-reviewed scientific papers. However, due to the time constraints of a nine (9) minute radio interview, the Plaintiff could not provide citations, references and quotes from his review of the research, during the aired interview, to refer to the evidence underpinning his oral assertions, conclusions and opinions. The three salient points the Plaintiff discussed in that interview are accepted principles in the peer-reviewed scientific literature.

58. Immediately following the ‘On Point’ interview, the Defendants, Pyle, Weese, and Fisman, began a targeted and vicious campaign of personal attacks and harassment aimed at the Plaintiff, over social media, in order to label the Plaintiff, a career vaccinologist, as an “anti-vaxx-er” and disseminator of “misinformation”, in order to silence and discredit him. However, the Defendants, Weese, Pyle and, Fisman, did not identify any false information in the interview.
59. Email(s) from Fisman, to Pyle and Weese clearly manifest a conspiracy hatched and instigated by Fisman ,agreeing with Pyle and Weese to destroying the Plaintiff’s reputation and work.
60. Since May 27, 2021, after every interview, speech or article written by the Plaintiff, the Defendants, Weese, Pyle, and Fisman would immediately post over social media, labelling him as providing “misinformation”, and/or seeking to discredit the Plaintiff as an individual who provides “misinformation” . None of these Defendants, are themselves vaccinologists and viral immunologists. The Defendants, Weese, Pyle, and Fisman failed to identify any false information and distorted, misstated, and mischaracterized the Plaintiff’s claims in order to lower his reputation and character as a vaccinologist and viral immunologist.
61. The Plaintiff has always demonstrated his desire to discuss and debate his scientific claims openly with these three (3) Defendants in particular, and others, and has invited those who

disagree with him to do so. These three (3) Defendants' conduct, however, is fundamentally removed from this type of scientific discourse, but simply aimed at personal, baseless, malicious attacks damaging the Plaintiff.

62. Importantly, the three (3) Defendants', Weese, Pyle, Fisman's personal attacks on the Plaintiff were deliberately made so that he would have no knowledge of their conduct given that he did not, and does not, operate on social media platforms. The Plaintiff only learned about these three Defendants' attack through third parties.

63. These three Defendants, Fisman, Pyle and Weese knew, or ought to have known, that the Plaintiff did not and does not have any social media accounts, including on Twitter, and that the Plaintiff was therefore unable to either participate in or defend himself against attacks on his credibility and expertise on social media.

64. In addition to tweets insulting the Plaintiff directly, Pyle, Weese, and Fisman, in their social media posts on Twitter, directed people to a false website, which had been falsely created in the Plaintiff's name, "byrambridle.com", which website was created on May 28th, 2021, within twenty-four (24) hours of the OnPoint Interview. This website's sole purpose was, and continues to be, to impersonate the Plaintiff in order to mock, defame, and damage the Plaintiff.

65. The headline of the website states, next to a large picture of a duck (with the innuendo "quackery"):

"Byram Bridle is a "viral immunologist who is passionate about improving life"... Albeit not by reducing the spread of covid-19 misinformation".

66. The individuals, Jane or John Does, responsible for creating the website also created a false Twitter Account impersonating the Plaintiff, @ByramBridle, which twitter account also

directly linked to the website byrambridle.com, with the sole purpose of impersonating the Plaintiff in order to mock, discredit, attack, and damage the Plaintiff. For example, in just the first two weeks after it was created, a sample of the @byrambridle fake twitter account's posts were, as follows:

- (a) On May 31, 2021, accusing the Plaintiff of dishonesty by putting out "misinformation" and as a purveyor of "myths", @byrambridle posted, as follows:

Replying to @DFisman,

And here's one more way in which folks everywhere are fighting the kind of misinformation that Dr. Bridle is putting out. @SabiVM made this amazing infographic debunking the myths.

- (b) On June 4, 2021, about @byrambridle account's number of followers:

Well dammit if Not Byram Bridle now has more followers than me. I must be doing something right keeping my message alive! Big pharma will try to silence me but they'll never win! Join my mailing list so big tech doesn't get me either!
<http://byrambridle.com>

- (c) On June 5, 2021, attempting to discredit the Plaintiff's recent interview, @byrambridle posted, as follows:

Thanks for supporting my work! Make sure you go to my website to understand exactly what was said in the interview. This is essential to learning about the efficacy and safety of the vaccine. <http://ByramBridle.com>

- (d) On June 6, about its authorship, in response to another person's tweet stating:

The new <http://byrambridle.com> trolling website has been created with funding from the Public Health Agency of Canada.

@byrambridle posted, as follows:

It hasn't, and there's a disclaimer to that effect there.

If you want to support my work (of which I am the sole author, with some tips from those who have submitted feedback - thx!) you can find me on OnlyFans.

See me strip... away misinformation.

(e) On June 9, 2021, about fact-checks, @byrambridle posted, as follows:

And here comes the cavalry!

Here's a USA today fact check on Bridle's claims:

<https://usatoday.com/story/news/factcheck/2021/06/08/fact-check-proteins-covid-19-vaccines-arent-dangerous-toxins/7505236002/>

And here's a PolitiFact fact check on the same claims:

<https://politifact.com/factchecks/2021/jun/07/facebook-posts/no-proof-researcher-claim-covid-19-vaccines-spike-/>

(f) On June 13, 2021, @byrambridle posted, as follows:

But why doesn't the media share our stories!! Oh yea, cause they're not yours, and you continuously misrepresent things until you become a joke.

(g) On June 14th, 2022, claiming it is allowed to impersonate the Plaintiff, @byrambridle posted, as follows:

I know reading comprehension isn't generally anti-vaxxer's strong suit, but here are the impersonation rules.

What one am I breaking?

help.twitter.com- Misleading and deceptive identities policy

The Plaintiff states that these statements, and other statements quoted in the within Statement of Claim, are statements in furtherance of the conspiracy entered into, and perpetuated by Fisman, Pyle, and Weese.

67. If a person searches for Byram Bridle on the internet, they will be directed to this website, which website appears at first glance to be a website owned by the Plaintiff. If a person searches for Byram Bridle on social media, they are presented with this fake twitter account, which at first appears to be Dr. Byram Bridle's Twitter account. Both the website and the twitter platform use the reader's expectation that they are viewing a platform operated by the Plaintiff to draw readers seeking information in the expertise of the Plaintiff to discredit and smear him instead, for example:

(a) the @byrambridle account states, on June 15, 2021:

If you're here for the Bridle interview, head to <http://byrambridle.com>

But let's explore the vaccine disinformation campaign, featuring Peter McCullough, a prominent figure in the anti-vaccine movement. You'll recognize him from Tucker Carlson's & Laura Ingraham's shows...

(b) on September 23, 2022, the @byrambridle account states:

A reminder, because I've had an influx of new followers. Go. Get. Vaccinated. If you followed this account thinking I don't approve of the vaccines, maybe you should consider how easily you were mistaken (and the implications for your position on vaccination):

68. The Defendants, Fisman, Pyle, and Weese, knowingly, irresponsibly and intentionally reference this fake website in their social media posts. The Defendants were aware of the website's existence, almost immediately after the website was created. The false Twitter account @byrambridle.com also repeatedly reposts tweets made by the above Defendants. There was and remains a clear link between these Defendants, Fisman, Pyle, and Weese, and the false website and Twitter account.
69. Fisman, Pyle, and Weese's conduct in participating and promoting the impersonation of the Plaintiff was intended to injure and harm the Plaintiff, which it did.
70. The creation and operation of this website became and continues to be the subject of a police investigation which has hit road blocks due to its sophisticated set-up that crosses and is relayed across several countries and a few different continents.
71. On or about May 29th, 2021, the day after the website's creation, Pyle stated that he was in contact with and therefore was aware of the identity of the website's (and Twitter account's) creator. In response to another user's suggestion that a hacker had made the website, Pyle responded:

“It’s not a hacker. The person who made it has contacted me. They are a scientist.”

When the other user responded by stating that creating a fake twitter account about a colleague was “embarrassing and unprofessional”, Pyle further alluded to details about the identity of the website/fake account creator:

“They [the creator of the website/twitter account] are not a colleague. I don’t say that to be dismissive, just to clarify **that this is not someone who is at the same level & has legitimate reason to fear retribution**. You are certainly entitled to your opinion on the website & I’m not here to change anyone’s mind on that...”

72. The Defendant, Pyle, deleted these posts to conceal the fact that he knows the identity of the impersonator when confronted with his knowledge of materials facts about the website and fake twitter account's creation separate and apart from the admission that he has knowledge of the creator on social media. Pyle also confided to several of his faculty colleagues including the Defendant, Greer, by email, that he knew the creator of the impersonating accounts. Pyle now falsely claims that he has no knowledge of the website’s or twitter account’s creation or creator(s).
73. The Defendants’, Fisman, Pyle, and Weese’s conduct acting together was directed towards the Plaintiff and constituted social media harassment, and furthering the conspiracy to harm the Plaintiff, as follows:

(a) On May 29th, 2021, Fisman’s Twitter account, @DFisman, posted the following

“I’ve had questions over the past 48h about vaccine safety concerns aired Dr Bryam Bridle at @UofGuelphOAC in some recent interviews. I don’t know Dr Bridle but he’s a legit immunologist. Some claims, however, are not data based, and are answered here: byrambridle.com”

....”

(b) On May 29th, 2021, Glen Pyle also posted the following tweets attempting to disparage the Plaintiff's claims made during a nine (9) minute interview, where Pyle mischaracterises the Plaintiff's statements and cites the wrong papers in order to discredit the Plaintiff. For example, Pyle tweets:

“The paper Byram cited doesn't support his claim. That's pretty telling that a study cited to support his claims actually goes against those claims.”

In the tweet, Pyle irresponsibly cites a completely different study than the study Dr. Bridle referred to in his interview.

(c) On May 28th, 2021, in a response to a Twitter user discussing the Plaintiff's OnPoint Interview, where the user posted, the following:

From Late Last Night: Mechanism of injury explained by Canadian Prof Dr. Byram Bridle at University of Guelph. Includes description of spike protein damage and mobility (including passing through breast milk to cause GI bleeding in infant).

Glen Pyle responded over Twitter:

...“No, this is a hypothesis, and nothing is reviewed or published. A few points:

1. Claims the first access to biodistribution studies. In fact EMA reported these data last year & updated in Feb 2021. (ema.europa.eu/en/documents/a...)....”

In making these tweets, Pyle owed the Plaintiff a duty of care and knew, or ought to have known, that Dr. Bridle could not cite or quote from his scientific references in a nine-minute oral radio interview. Pyle was irresponsible and reckless since he further was not aware of which paper the Plaintiff was referring to and did not make any attempts to apprise himself as to which paper the Plaintiff was referring to, both prior to and after his posts. Pyle failed to notify or speak with the Plaintiff about his concerns, or

ask which study the Plaintiff was referring to, prior to posting remarks he knew were inapplicable, which harmed the Plaintiff's expertise and qualifications, and which did not promote any debate or discussion. Pyle also emailed other faculty members at the Ontario Veterinary College telling them not to respond to the Plaintiff and to ignore him causing the Plaintiff to be further isolated and suffer harm.

(d) On May 30th, 2021, Fisman, through his Twitter account, @DFisman, posted a tweet requesting that his followers follow @glenpyle, and refers to the Plaintiff as a prevaricator:

“An excellent follow for good immune science from @UofGuelphOAC is Dr @glenpyle, who has addressed some of the misinformation in his own tweets,”

[and here Fisman reposted Pyle's tweet below:

“The paper Byram cited doesn't support his claim. That's pretty telling that a study cited to support his claims actually goes against those claims.”

And etc.]

(e) On May 30th, 2021, Weese, from his Twitter account @weese_scott, replied, on May 30th, 2021, as follows:

“It's tough but misinformation has to be challenged. More misinformation and confusion during a pandemic are dangerous and causing harm.”

74. The Plaintiff states, and the fact is, that all the above-noted posts to, and from, and through these fake cites, are statements made in furtherance of the Defendants', Fisman's, Pyle's, and Weese's conspiracy to injure the Plaintiff, and harass him online.
75. On May 29, 2021, upon becoming informed by concerned colleagues and students at the University, the Plaintiff immediately brought the fake Twitter account and website to the

attention of the University of Guelph and informed the University of Guelph, through the Defendant Wichtel, that he was being personally targeted by the creation of this fake website and the Defendants Pyle and Weese were, along with Fisman, promoting fraudulent and impersonating internet forum attacking his credibility and expertise, causing him harm. The Plaintiff further indicated in the email to his colleagues that the online harassment was causing him to fear for his safety as well.

76. The Defendant, Wichtel, as his Dean, owed the Plaintiff a duty of care to investigate the information, and in particular Pyle's role and conduct in harming his reputation and character as a scientist and vaccinologist.
77. The Defendant, Wichtel, refused to investigate, assist or intervene in any manner whatsoever to stop the harassment.
78. The Plaintiff states, and the fact is that, at this point the Defendant Wichtel, by his refusals, and green light to Weese and Pyle to continue with the harassment and conspiracy, joined the already on-going conspiracy along with Fisman, Pyle and Weese to injure the Plaintiff.
79. On May 30, 2021, Pyle emailed a response to the Plaintiff, copying Wichtel, falsely claiming that he had no knowledge of the website.
80. On May 30, 2021, the Plaintiff requested the three Defendants, all academics, discuss and debate scientific disagreements with him directly, instead of posting comments claiming he is a liar, or purveyor of lies on social media covertly. None responded and failed to identify a false utterance.

81. On May 31st, 2021, the Plaintiff became aware that the Defendant, Weese, continued to conspire with Fisman and Pyle in accusing him of falsifying science on social media. The Plaintiff wrote to Weese directly over email, while copying the Defendant, Wichtel. The Plaintiff asked Weese to set out what information he was accusing the Plaintiff of distorting as “misinformation” and provide him with the scientific evidence supporting Weese’s claim that the Plaintiff was falsifying information. The Plaintiff attached scientific publications in defence of his statements as truthful and accurate and invited Weese to respond and debate with him about the science. Weese failed to respond to the Plaintiff or identify a false utterance.
82. The fake byrambridle.com website, along with the fake twitter account @byrambridle, have remained live and are both extremely active from the date of creation until the present date. The Twitter account, @ByramBridle has tweeted over 1434 tweets as of October 1, 2022, all attempting to attack, discredit, and diminish the Plaintiff’s reputation, credentials and expertise, in the eyes of his academic, research and professional communities, the general public, and the world at large.
83. In addition to posting and or promoting the two fake accounts, the Defendants, Pyle, Weese, and Fisman, continued to smear the Plaintiff’s reputation online, hiding behind their social media accounts and refusing to identify any “fake information” . These Defendants continue to refer to the Plaintiff, a vaccinologist, as an “anti-vaxxer,” and who is an eminent scientific researcher, as a purveyor of “misinformation.” These Defendants continue to harass the Plaintiff in order to destroy his position, profession and, standing as a vaccinologist and viral immunologist.
84. On June 2, 2021, the Defendant, Wichtel provided faculty, including the Plaintiff, with a University of Guelph “approved” “official” statement with respect to the Plaintiff’s media engagements, titled “Bridle Response”. The statement reiterates, in general terms, the

University's objective of dissemination of knowledge, advancement of learning and academic freedom and freedom of expression.

85. Notwithstanding this official statement for all faculty to respond to media inquiries regarding the Plaintiff, the Defendant Fisman, co-conspired with the Defendants, Weese and Pyle to personally malign the Plaintiff as "dangerous" and harass the Plaintiff as a purveyor of "misinformation" to the public at large through social media and to the press. Email(s) from Fisman, and Pyle, dated on or around June 2nd, 2021 to a USA TODAY journalist indicate false statements that the Plaintiff was distorting scientific evidence and that the Plaintiff was part of a "disinformation operation" to shake vaccine confidence, and that the Plaintiff was becoming "more and more" "anti-vaxx." It further promoted the fake website to media and injured the Plaintiff.
86. On June 2, 2021, the Plaintiff filed a workplace harassment report against his academic colleagues, Pyle and Weese, and included the Defendant, Fisman, based on directions and instructions from University of Guelph administration, including the Defendant Wichtel, regarding the three (3) Defendants' social media posts and impersonating website and Twitter account. The Plaintiff requested the complaint to be given high priority.
87. The Plaintiff's June 2, 2021 harassment complaint against the Defendants, Pyle and Weese, set out the full facts and instances of the conspired harassment by the three Defendants, Pyle, Weese, and Fisman.
88. The Defendants, the University of Guelph, Wichtel, and Arnott, failed to respond urgently, **or at all**, until June 23 2021, at which point they dismissed the complaint entirely without providing any reasons whatsoever. The Plaintiff states, and fact is, that not only is this further

evidence in furtherance of the Defendants' Fisman's, Pyle's, Weese's , and Wichtel's conspiracy against the Plaintiff, but an overt manifestation of Arnott's entry into the conspiracy to harm and destroy the Plaintiff's work, and intention to try to drive him out of the University.

89. Both Wichtel and Arnott owed the Plaintiff a duty of care to respond urgently, and guide and support him in accessing the correct resources and process, which they refused. As a result of the Defendants, Wichtel and Arnott's, refusals to act, inaction and failure, the harassment of the Plaintiff continued unabated. In or around June 2021, the Defendant, Fisman, posted the following tweet:

David Fisman @DFisman

“The website debunking Dr. Bridle's covid-19 vaccine claims has been updated with lots of peer-reviewed science that attests to the safety of vaccines.

Byrambridle.com

And for those who think I made or organized this website: nope. But grateful to the scientists who did.”

David Fisman @DFisman

“A friend indicates that Dr Bridle's interview caused his parents to cancel their vaccine appointments. This is not ok.”

Again, statements in furtherance of their conspiracy, and continuance of their on-line harassment. The Plaintiff states, and re-iterates, that all social media posts extracted in the within Statement of Claim are statements pled as statements in furtherance of the Defendants' conspiracy and on-line harassment against the Plaintiff.

90. On June 12 and 14, 2021, as the Defendants continued to attack the Plaintiff over social media, the Plaintiff sent emails to the Defendants Pyle, Weese and Fisman to again request that they

debate with him directly, provide him with proof of false information, and cease attacking him behind his back. However, the Defendants chose not to respond, or identify any falsehoods.

91. On June 14, 2021, the Plaintiff emailed Pyle, Weese and Fisman documents written by the inventor of mRNA vaccine technology, Dr. Robert Malone, corroborating the Plaintiff's statements, to disabuse the Defendants of the notion that the Plaintiff was making false claims about COVID-19 vaccines. These three Defendants refused to respond to the Plaintiff, and instead contrived, and conspired, and continued to further smear and harass the Plaintiff.
92. On June 15, 2021, the Plaintiff published the "Covid-19 Vaccines and Children: A Scientist's Guide for Parents". This report was produced in response to overwhelming number of requests to the Plaintiff, from members of the public, for detailed references to scientific data and the most current independent research on COVID-19 variants due to his expertise. The Plaintiff specifically sent his publication to the Defendants, Weese, Pyle, and Fisman's attention as well as many other University of Guelph faculty. The Defendants were made aware of the scientific underpinnings relied on by the Plaintiff were not false or misleading. The Defendants Pyle, Weese, and Fisman, did not refute or identify any false information in the report. In forwarding this report, the Plaintiff asked the Defendants to review the guide, and specifically again wrote that he was open to discussion of this research.
93. That same day, on June 15, 2021, the Defendant Weese, responded to another person discussing the Plaintiff's report "COVID-19 Vaccines and Children: A Scientists Guide for Parents" on Twitter. Weese responded by posting an image of a man shovelling manure along with the following text:

“spreading it...[picture of shovelling manure]”

In doing so, the Defendant Weese smeared the Plaintiff, by innuendo, as a “bullshitter,” again a statement in furtherance of the conspiracy and online harassment against the Plaintiff.

94. On June 17, 2021, the Plaintiff was invited to speak at a news conference in the Press Gallery of Parliament Hill. Immediately after the News conference, the Defendant Weese, posted on Twitter:

“An[sic] far right politician, anti-vaxxer and guy who compared public health measures to the Holocaust walk into a press room...

I wish there was an actual joke in there. The real story’s too sad/frustrating/maddening Misinformation kills. We need to address and remember that.

Again, a statement made in furtherance of the Defendants’ conspiracy and online harassment.

95. The Defendant Weese publicly refers to the Plaintiff, who is a vaccinologist, and whose research and program, and publication record focuses on vaccine development, as an “Anti-vaxxer,” purveyor of false information and “killer.”
96. The Plaintiff claims, and the fact is, that the Defendant Weese, has continued to attack and on-line harass the Plaintiff personally on Twitter, as follows:

(a) On June 21st, 2021

Rachel Green @4bbhb • Jun 20, 2021

Replying to @MDinCanada

“Shame on the #cpso for not investigating @dfisman for harassing and bullying Dr Byram Bridle, and the sharing of confidential medical information his parents”

Diana C #TrudeauMustGo @diana_c2021 • Jun 20, 2021

Replying to @MDinCanada @4bbhb and @DFisman

“Here’s website and account discrediting Bridle that Fisman tweets about and RTs. Proof that personal info was released about his parents seems to have been disclosed by Bridle in the recent cpac conference organized by Derek Sloan. He did not name names...”

J Scott Weese @weese_scott

Replying to @diana_c2021 @4bbhb and @DFisman

“It seems like Bridle (surprise, surprise) misinterpreted a comment and (surprise, surprise) continues to spew misinformation about it.

I’ve seen nothing supporting it and how would the person he’s accusing have access to Bridle’s parents’ info?

Just more misdirection.

6:41 AM • Jun 21, 2021 • Twitter Web App

Again, statements made in the furtherance of the Defendants’ conspiracy and online harassment.

97. On June 22, 2021, the Plaintiff, once again, sought to end the harassment and the harmful allegations made by Weese about him on social media via an email request to his academic colleagues, including the Defendants, Weese and Pyle, and proposed a manner of engaging on public interest issues which would be respectful and not harmful to his personal reputation and profession.
98. On June 23, 2021, the Plaintiff provided a request from an internationally renowned scientist and the inventor of mRNA, Dr. Robert Malone, to the Defendant Wichtel, and the Defendants, Weese and Pyle for the University to end the harassment of the Plaintiff and, which request fully supported the Plaintiff’s scientific assertions as sound.
99. The Defendants, Arnott, Wichtel, Weese, and Pyle were thus aware and had knowledge of this letter, and were also aware, or ought to have been aware of how their actions and inactions injured the Plaintiff and harmed his expertise. The Defendants, Arnott and Wichtel, were aware

that the Plaintiff's harassment was apparent and obvious to all who viewed/read the comments both inside and outside of the University.

100. Notwithstanding this fact, on June 23, 2021, the Defendants Wichtel and Arnott having refused to investigate the Plaintiff's concerns, instead dismissed the Plaintiff's workplace harassment complaint against the Defendants, Fisman, Pyle, and Weese as 'frivolous' summarily and verbally with no written reasons or decision, as being outside the scope of the jurisdiction of the collective bargaining agreement because the online harassment was taking place outside the campus grounds. The Defendant Wichtel, in verbally dismissing the Plaintiff's complaint, feigningly suggested to the Plaintiff that the Plaintiff engage in "open discussions" directly with the Defendants, Pyle and Weese, as the only way left to deal with them. This, notwithstanding the numerous attempts to do so, by the Plaintiff, had fallen on deaf ears and knowing that this foreseeably would cause the Plaintiff more harm and injury and/or escalate the disagreements within the Faculty. The Plaintiff again states that these actions by these Defendants were in furtherance of their conspiracy to harm the Plaintiff.
101. As a result of the dismissal of his complaint and request for formal resolution, the Plaintiff again requested the Defendants Pyle and Weese, engage with him to solve and end the ongoing harassment. This onus of engaging in "open discussions" was placed on the Plaintiff by the University of Guelph, through Wichtel, and Arnott.. Following the dismissal of the Plaintiff's complaint, the Plaintiff pursued a criminal complaint against Weese and Pyle.
102. On June 24, 2021, a peer-reviewed scientific paper was published¹ that independently drew very similar conclusions to those drawn by the Plaintiff, months earlier. The Plaintiff's Guide

¹ Citation: Walach, H.; Klement, R.J.; Aukema, W. The Safety of COVID-19 Vaccinations—We Should Rethink the Policy. *Vaccines* 2021, 9, 693. <https://doi.org/10.3390/vaccines9070693>

therefore outlined the scientific basis for the US-FDA caution of risks posed to children and adding warnings to the labels for the Pfizer and Moderna vaccines regarding the association with myocarditis (inflammation of the heart) and pericarditis (inflammation of the sack surrounding the heart). The relevant text is:

Today, the FDA is announcing revisions to the patient and provider fact sheets for the [Moderna](#) and [Pfizer-BioNTech](#) COVID-19 vaccines regarding the suggested increased risks of myocarditis (inflammation of the heart muscle) and pericarditis (inflammation of the tissue surrounding the heart) following vaccination. For each vaccine, the Fact Sheet for Healthcare Providers Administering Vaccine (Vaccination Providers) has been **revised to include a warning about myocarditis and pericarditis** and the Fact Sheet for Recipients and Caregivers has been revised to include information about myocarditis and pericarditis.²

103. On June 24, 2021 the Plaintiff formally invited the Defendant Weese and Pyle to publicly discuss the issue of COVID-19 vaccines for children instead of personally attacking him on Twitter in light of his new publications. The Defendants, Wichtel and Pyle, refused to respond, retract or apologize.
104. The Defendant Wichtel contributed to the escalation of the conflict between the Plaintiff and the Defendants, Weese and Pyle, by placing the onus of conflict resolution on the Plaintiff, and paying ‘lip service’ to academic freedom. The Defendant Wichtel contradictedly sided and collaborated with the Defendants Pyle and Weese, **and prohibited the Plaintiff from contacting these two Defendants** through email, which was the only medium open to the Plaintiff .
105. The Plaintiff has never mentioned the names of, or personally attacked, the Defendants, Weese, Pyle, or Fisman, in a public forum. He has always maintained the position of open discussion of

²): <https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-june-25-2021>

science, even in the face of their continued personal attacks to his name, qualifications and expertise.

106. The Defendants', Fisman's, Weese's and Pyle's posts reached members of the University, as well as members of the general public through the world wide web. The University permitted a malicious, castigating, and reckless double-standard to apply, in which the Defendants, Pyle and Weese, could continue to smear the Plaintiff unabated to the public at large, but the Plaintiff was to immediately cease and desist the only avenue of direct electronic communication while being directed to solve the issue through "open discussion." The Plaintiff states that this conduct, by Wichtel was in furtherance of the conspiracy against the Plaintiff, and online harassment against him..
107. Furthermore, as a result of banning the Plaintiff from emailing the Defendants, Weese and Pyle, the Defendant, Wichtel, further knew, or ought to have known that prohibiting email communication would result in the continuation of a one-sided and ongoing personal attack against the Plaintiff on social media by the Defendants, Weese and Pyle, aiding, abetting, and co-conspiring with the harassment against the Plaintiff.
108. The Plaintiff pointed out this unfair treatment and collusion between the Defendants in an email to Wichtel on June 24, 2021.
109. The Defendants, Wichtel together with Arnott thus, collaborated, colluded and co-conspired with the Defendants, Weese and Pyle, to harm the Plaintiff. The University's actions and inactions through Wichtel and Arnott emboldened the Defendants Weese and Pyle to continue to injure the Plaintiff, and thus knowingly, conspire to cause him harm and to conscript other University of Guelph faculty to join in the harassment, and injuring of the Plaintiff.

110. On or around June 30, 2021, the Municipal Police commenced a criminal investigation of the fake website and Twitter accounts impersonating and damaging the Plaintiff. The Municipal Police required and requested the collaboration and cooperation of the University of Guelph Campus police to do so. While the investigation was ongoing, the Defendant, Arnott interfered with and re-directed the inquiries, with respect to criminal investigation between Guelph University Police and the Municipal Police, to herself under the pretext of Human Resources.
111. On July 6, 2021, notwithstanding the “Official June 2, 2022 University Statement on Dr. Bridle” the Defendants Greer, Bienzle, Weese, and Pyle, co-authored an open letter and solicited seventy-six (76) other faculty to sign it, some under pressure. These Defendants are the Plaintiff’s academic contemporaries, co-faculty at the University of Guelph, and owed the Plaintiff a duty of care. The Defendant Peregrine, in particular, has historically relied upon, benefited from and deferred to the viral immunology expertise of the Plaintiff. The letter personally attacks the Plaintiff’s credibility and expertise in viral immunology and accuses the Plaintiff of deception and falsification as a vaccinologist and scientist. The Plaintiff states, and fact is, that this was the first overt manifestation of the Defendants Greer, Bienzle, and Peregrine’s joining the conspiracy against the Plaintiff in knowingly causing injury through false statements and accusations, to damage the Plaintiff’s work and career. These Defendants acted in furtherance of an agreement to injure the Plaintiff and was directed to the Plaintiff.
112. The July 6, 2021 letter was posted on-line, published both inside and outside the University of Guelph, circulated widely on the internet by the Defendants Greer, Weese, Bienzle, Peregrine and Pyle, and the Defendant Fisman, who conspired to harm the Plaintiff.
113. The July 6, 2021 letter, caused the Plaintiff to suffer harassment and harm to his standing, profession and research, both on campus and off campus, as a viral immunologist, vaccinologist

and expert in his field as evidenced by the reliance of the letter in court proceedings to discredit the Plaintiff's expertise and cause harm to his reputation.

114. The Defendants' harassment of the Plaintiff and damage to him was apparent to the wider Canadian community. Scientists requested that the University of Guelph, and the co-conspirator Defendants, cease their conduct intended to silence the Plaintiff, cause him harm, and push to remove him from campus.
115. Due to the Defendants', Wichtel's and Arnott's decision and, complicity in allowing the on-line harassment of the Plaintiff to continue unabated and escalate, and further to permit the Defendant faculty members, instigated by Greer to malign the Plaintiff, his life at the University became increasingly toxic and harmful. In an effort to resolve the toxic relationships in his immediate work environment, being his lab and office at the Pathobiology Department, prior to the commencement of the academic teaching team, the Plaintiff invited some of the drafters and signatories of the July 6, 2021 open letter to meet with him at his campus office, and provide them with evidence of his position, which they harmfully and generally claimed was false and inaccurate.
116. On July 20, 2021, the Plaintiff provided four of his departmental colleagues, with offices in the same building, including the Defendants, Peregrine and Bienzle, with a document package consisting of articles, from government sources, as evidence to demonstrate to the Defendant signatories that he was not a prevaricator or "spreading misinformation" regarding "COVID-19 vaccines" for children, in order for them to retract the damaging and harmful July 6, 2021 open letter. He also provided the same package to the Defendants Weese and Greer whose offices were not in the Pathobiology building. The three articles the Plaintiff presented to his colleagues were as follows:

- (i) Headline from U.K. newspaper “The Telegraph”, dated July 19, 2021:

“Covid vaccines on hold for most children amid fears they could trigger heart conditions”

“Joint Committee on Vaccination and Immunisation says small risks from virus do not outweigh potential risks from vaccines”

- (ii) Press Release Publication from Public Health England, JCVI issues advice on COVID-19 vaccination of children and young people, dated July 19, 2021:

“As evidence shows that COVID-19 rarely causes severe disease in children without underlying health conditions, at this time the JCVI’s view is that the minimal health benefits of offering universal COVID-19 vaccination to children do not outweigh the potential risks.”

- (iii) Publication of the “Royal College of Pediatrician and Child Health,” dated July 19, 2021:

“The JCVI advice reiterates what the evidence tells us - that most children are at minimal risk of being made seriously ill by COVID. Having looked at the available national and international data, the Committee has weighed in the balance the benefit to children over 12 of being vaccinated, against the very small but important risk of potential side effects from the vaccine. They have decided that for children who are otherwise healthy, the risk is not outweighed by the benefit.”

117. The Plaintiff chose references to governmental policy as a point to initiate discussion on the science of which he had expertise and included a personal covering note accompanying this document package. The personal note stated:

“Are you sure that you are on the right side of history? **My door is always open if you would like to chat about the science instead of making false assumption about my intentions and expertise.** My foresight is based on following the science. I genuinely care about the health and well-being of children. Immature behaviour is unbecoming of a professional. I have been deeply hurt by your profound disrespect. Byram”

118. The Plaintiff delivered the document package by leaving a copy **under the office doors** of the Defendants, Greer, Bienzle, and Peregrine, and two other faculty members within the

Department of Pathobiology, and in the departmental mailbox of the Defendant Weese, well after regular office hours.

119. Upon receipt of this note and documents, the Defendants, Weese, Pyle, Peregrine, Bienzle, and Greer, turned the Plaintiff's harassment allegation against them, into an opportunity to remove the Plaintiff from campus. These five (5) Defendants entered into an agreement to falsely characterize the above personal note, and invitation to talk they received on July 21, 2021, as well as the Plaintiff's presence, as "threatening."
120. By email, on July 21, 2021, the Defendants Bienzle, Pyle, Peregrine, Weese and Greer entered into an agreement and conspired with one another, plotting to portray the Plaintiff's gesture to resolve the alleged scientific disagreements which the Defendants, Wichtel and Arnott, had allowed to become personal and acrimonious, into a "threat to their physical safety" to effect his removal from campus.
121. On Wednesday July 21, 2021, by email, the Defendant Pyle, encouraged by the Defendants, Weese, Greer and Bienzle, distorted, fabricated, and exaggerated the Plaintiff's efforts by involving campus police.
122. Emails between these Defendants, dated July 21, 2021 and July 22, 2021 manifest concrete evidence that the Defendants communicated this intent, with each other, both over the phone and through email correspondence. Instigated by Weese, the Defendants Pyle, Greer, Peregrine and Bienzle planned to file multiple and separate criminal complaints with the University of Guelph's Campus Police, **prior to** and contemporaneous with any actual encounter with the Plaintiff.
123. In furtherance of this plan, on the morning of July 22, 2021, **before she saw the Plaintiff**, Bienzle emailed Campus Police a harassment complaint against the Plaintiff on the pretext that

she received the above documentary package and a “threatening note”, referring to the cover note described above, under her door. The Plaintiff was unaware that Bienzle had complained to Campus Police prior to seeing her in his office space.

124. On July 22, 2021, **after** emailing Campus Police, when Bienzle and Peregrine saw the Plaintiff in his office building, seized the opportunity to fabricate a physical threat and safety risk when the Plaintiff asked them if they had read his report, or, the articles that he had left under their doors. Both Defendants acted as if they were under physical attack by slamming the office door on the Plaintiff and barricading themselves in the office while simultaneously recording an emergency call to the Campus Police unnecessarily causing a commotion. Students present in the building questioned why it was necessary for the Plaintiff to speak to the Defendants, Bienzle and Peregrine through the closed door, instead of by email, unaware that the Plaintiff was prohibited from sending an email by the Defendant, co-conspirator, Wichtel.
125. When two Campus Police officers attended the building, Bienzle and Peregrine fabricated allegations that the Plaintiff physically threatened them and was a risk to their safety in the Pathobiology office building as per the plan made with their co-conspirators, Weese and Pyle. Constable Beckmann interviewed the Defendants Bienzle and Peregrine. The Plaintiff was interviewed by Sargent O’Connell. During his interview the Plaintiff described in detail the on-line and workplace harassment he endured since May 2021 from the Defendants Pyle and Weese, which culminated in the harmful July 6, 2021 letter being circulated widely by them and the Defendant’s Bienzle, and Peregrine and Greer. The Campus Police officers made contemporaneous notes of these interviews.
126. Both officers concluded the Plaintiff did **not** pose a safety risk or threat to anyone in the Pathobiology building and the Plaintiff could remain and resume his work in the building. The

officers, upon concluding that the situation was “safe,” left the Plaintiff to remain at his office, immediately after the incident, to carry on in the Pathobiology lab and in his office. The Campus Police then proceeded to investigate the Defendants, Pyle and Weese after being apprised by the Plaintiff of the full historical context of their on-line harassment and personal attacks on his expertise on vaccines.

127. The Defendants, Weese, Bienzle, Pyle, and Peregrine, not satisfied with the failure of their scheme to frame the Plaintiff’s physical presence in the Pathobiology building as a threat to their safety and a form of personal harassment in order to remove him from campus, entered into an overlapping conspiracy with the Defendants, Wichtel and Arnott, to falsely allege “workplace harassment.” The “workplace harassment” is based on the exact same facts, incidents, and allegations. In substance it is exactly the same, but in form it is a different process to achieve the same end which was to remove the Plaintiff from his office, lab, and the campus.
128. The Defendants, Arnott and Wichtel, as manifested from email correspondence, subsequently interfered with, and terminated the Campus Police’s investigation into the Plaintiff’s allegations of harassment against the Defendants Pyle and Weese together with the harassment complaints reported to them by Pyle, Peregrine, and Bienzle. The Campus Police Report states that the University administration ended the Campus Police investigation. The Defendant, Arnott instead commenced a private, one-sided investigation, under the pretext of “workplace harassment” on July 22, 2021. The Defendants, Wichtel and Arnott, colluded and conspired with the Defendants Pyle, Peregrine, Bienzle, Weese, and Greer, to isolate, and banish the Plaintiff from campus resulting in harm to his research and reputation as an expert vaccinologist.
129. The Defendants, Wichtel and Arnott, further knew that the Defendants, Greer, Pyle, Peregrine, Weese, and Bienzle, had and continued to harass the Plaintiff at the University, and also online,

and to the public at large through the letter dated July 6, 2021, describing the Plaintiff as a falsifier and liar on the scientific area of his expertise, over which the Defendants had **no** expertise.

130. The University of Guelph, particularly Wichtel and Arnott, engaged in a distorted and biased acceptance of the Defendants' claims of "harassment", while abusing their power to dismiss the Plaintiff's own, much stronger, harassment claim, entirely, and with no reasons. The false allegations of threats (of violence and to safety) set out in their own emails to Wichtel, by the Defendants, Pyle, Bienzle and Peregrine, was criminal in nature (threat to physical and psychological safety) and lacked statutory authority.
131. On Friday July 23, 2021, the Defendants, Wichtel and Arnott engaged in an abuse of public office and an abuse of their authority and powers as University administrators to prohibit the Plaintiff from attending his research lab, office and the University campus by falsely labelling the Plaintiff as a "real and present danger" to the University community and/or property, without any evidence, or without providing reasons, in order to nullify the decision of Campus Police officers to permit the Plaintiff to remain in his office, lab and on University property. This decision, to prohibit the Plaintiff from continuing to conduct research at his lab by illegally invoking an "interim measure" was intended to injure the Plaintiff. The Defendant, Wichtel, **took less than a few hours to** endorse the Defendants', Pyle, Bienzle, and Peregrine's plan to remove the Plaintiff on the basis of a spurious "harassment" claim, while he took 21 days before responding to, and summarily dismissing, the Plaintiff's harassment claim against Weese and Pyle, as a further abuse of his public office.
132. The Defendant, Wichtel, in prohibiting the Plaintiff from attending University Property, acted maliciously with the knowledge that the Plaintiff's work is the most lab research intensive of all

the departments. Wichtel's conduct lacked authority and interfered with the Plaintiff's professional, academic and research obligations and rendered him unable to complete his work in a remote capacity. The Defendant, Wichtel, knew that the Plaintiff was and is the **only person on campus** who could perform some of the procedures required to be completed in person, for the animal-based experiments at his lab. The Defendant, Wichtel, further aggravated this injury because he knew the importance of the Plaintiff's access to his lab in July up to December 2021, in particular. The Plaintiff's research was immeasurably damaged by the decision. As a result of his removal from the University, the Plaintiff lost control over the materials necessary to continue his research and development of the COVID-19 vaccines and irreparably harmed his research and collaboration with funders and other researchers.

133. The Plaintiff states, and fact is, that the Investigation, conducted from July 22, 2021 to November 6, 2021 was *ultra vires* the University's powers.
134. On Friday, July 29, 2021, the Defendant, Nick Duley of Northshore HR Consulting Inc., was hired by the Defendant University of Guelph as the private investigator for the "workplace harassment complaint," filed by the Defendants, Pyle, Peregrine and Bienzle to post-facto rubber stamp the Defendants', Wichtel's and Arnott's, decision and the Defendants', Weese's, Pyle's, Peregrine's, Beinzle's and Greer's, conspiracy. The Defendant, Arnott, lacked authority to mandate the consultant to investigate essentially criminal allegations. In order to do so, the Defendant, Arnott, interfered with and halted the Campus Police criminal investigation and recharacterized it as a "workplace harassment," exclusively focused on the allegations against the Plaintiff, to the exclusion of the allegations against the Defendants Pyle, Weese, and the July 6, 2021 letter.

135. The Defendant, Duley, knew or ought to have known, that he was hired to determine criminal allegations made by the Defendant Pyle, including allegations of physical threat and physical safety which had already failed to be substantiated by the Defendants Pyle, Peregrine and Bienzle, upon investigation by Campus Police. The Defendant, Duley failed to investigate the root causes of the friction between the Plaintiff and the Defendants, Pyle, Peregrine, and Bienzle despite the clear, convincing and credible evidence presented to him by witnesses, including Sargent O’Connell, from the University of Guelph Campus Police, during this interview of Sargeant O’Connell. Among other things this evidence included the ongoing and related criminal investigation by Municipal Police commenced one month **prior** to the Defendants’ harassment allegation.
136. The Defendant, Duley, failed to connect and assess the preceding mistreatment inflicted against the Plaintiff by the Defendant, Pyle and Weese, to the complaint of harassment filed against him. The Plaintiff states that this is all indicia of Duley joining the conspiracy against the Plaintiff, whether knowingly and/or as a “duped” co-conspirator, as well as his negligence and the lack of jurisdiction in conducting an essentially criminal investigation, given his knowledge of the role played by Pyle and Weese in the criminal conduct against the Plaintiff that goes beyond the scope of the collective agreement despite their status as co-workers. As a result, the Plaintiff did not participate in the investigation, because of its clearly “Kangaroo Court” set up and framed premise and origin which lacked statutory authority. The Plaintiff states and the fact is, that Nick Duley was a “hired gun”, with the knowledge, complicity and intent to produce a pre-set result to Arnott’s plan.

137. The Defendants, Duley, Wichtel, and Arnott turned a blind eye to the continuous and increasing on-line harassment of the Plaintiff by the Defendants, Weese and Pyle throughout the duration of the investigation from August to November, 2021.
138. The Defendant, Weese, posted on July 24 and on August 6, 9, 13, 19, 22, 24, 25, 27, 28 and 31 wherein he referred to the Plaintiff as a “liar and grifter,” an “anti-vaxxer” and as being “harmful to society.” The Defendant University knew or ought to have known about this harassment and failed to take any action.
139. On August 12, 2021, the Plaintiff retained private legal counsel.
140. On August 19, 2021, the Plaintiff attended an on-line meeting for instructors in the Ontario Veterinary College’s DVM program to discuss logistics of the upcoming 2021/2022 school year regarding in-person campus attendance.
141. On September 7, 2021, the Plaintiff made the Defendants, Wichtel and Arnott, aware of the Defendant Weese’s harassment, but the University failed to address it and the Defendant Duley also failed to assess it.
142. On September 8, 2021, the Defendant Weese continued to post harmful, hateful and harassing comments about the Plaintiff online.
143. On September 15, 2021, the Plaintiff through legal counsel, requested the Defendant Weese cease and desist from harassing the Plaintiff. On September 30, 2021 the Defendant, Weese, was again requested to cease and placed on notice, of impending civil action if he did not.
144. On September 17th, 2021, further to his March 3, 2021 letter, the Plaintiff wrote directly to the Defendant Yates, regarding the implementation of vaccine mandates, which set out:
 - (a) That the Plaintiff had clinically proven natural immunity, which natural immunity provided stronger immunity from the COVID-19 than vaccine acquired immunity. The

Plaintiff had participated in a clinical trial that had been testing his antibodies and immunity with respect to COVID-19. The Plaintiff referred to various peer-reviewed scientific journals to demonstrate that his naturally acquired immunity against COVID-19 is likely superior to that conferred by vaccination only. Immunity acquired through vaccination only lasts 4.5 months;

- (b) That the Plaintiff was therefore immune, if not more immune, than vaccinated University members and therefore did not pose a risk to other members on campus;
- (c) That immunity acquired as a result of vaccination has only short-term duration, as compared to natural immunity, and that therefore banning those with naturally acquired immunity, who are known and can provide evidence through anti-body testing that they are immune, but not banning those who had received two doses of the COVID-19 vaccine, whose immunity may have expired as the result of the passage of time, did not make sense;
- (d) He reminded Dr. Yates, that the University and the Plaintiff, along with other individuals, had meet to offer immunity testing to the campus community, and/or making an antibody test available as an alternative to mandatory vaccination, as a result of the above studies;
- (e) That for those students or staff who had naturally acquired anti-bodies, studies have shown that vaccination results in greater side effects to those individuals, and given their greater protection from their natural immunity, their forced vaccination might be reconsidered;
- (f) He presented scientific research and evidence about some of the concerns he had with the current COVID-19 vaccines, and, as a result, the concerns he had about forced vaccination of students.

145. On September 24, 2021, the University of Guelph implemented a mandatory vaccine policy.
146. On or around October 2021, the Defendants, Arnott and Wichtel in response to the Plaintiff's counsel's request to cease Weese's harassment, instead, offered to protect Weese from criminal and civil liability flowing from **his off-campus, off-work conduct** harming the Plaintiff, and further offered to protect and insulate Weese from any further accountability or liability, by promising to provide legal counsel at the University's expense.
147. The Defendant, Arnott, also sought to interfere with the Defendant, Duley's report and investigation by recommending Weese provide the Plaintiff's legal counsel's letter as an indicium of harassment against abuse, even though this was a matter the University through, the Defendants, Arnott, Wichtel, and Duley, maintained were outside the jurisdiction of the University, as it involved events outside the physical confines of the campus, when requested to deal with complaints about Weese's and Pyle's social media posts. The Plaintiff states that Arnott's biased, malicious, one-sided treatment, and complicity, was in furtherance of the conspiracy against the Plaintiff, and further abuse of her office.
148. The Defendant, Arnott, contrary to the position she took with respect to the Plaintiff's June 2, 2021, online harassment complaint, advised the Defendant, Weese, that his social media posts would qualify as job-related and constitute academic discussions, and legal defence of his on-line harassment of the Plaintiff would be covered by the University's insurance.
149. The Defendant, Arnott thus contributed to and encouraged the Defendant Weese to continue harassing the Plaintiff online causing him injury.
150. As a result, on October 26, 2021 Weese posted another harmful tweet harassing the Plaintiff.
151. On November 10, 2021 the online harassment by Weese escalated when he re-posted an old post from the Defendant Fisman inviting the public to link "anti-vaxxers," to **neo-Nazi White**

Supremists. Then he falsely posted that the Plaintiff is an “anti-vaxxer”. The link on Weese’s post goes directly to the name and photograph of the Plaintiff and foreseeably places the Plaintiff at risk of his safety and causes him harm. Sargeant O’Connell of Campus Police expressed his concerns about what he considered criminal conduct in these posts, and further instructed that someone should read the definition of criminal harassment (inciting hatred) to Weese. Sargeant O’Connell also expressed concern that Pyle had not responded to the safety plan forwarded after their attendance on the incident of July 22, 2021.

152. On November 11, 2021, the Plaintiff was advised by the Municipal Police investigating the harassment to take pre-cautions for his safety and that the Defendant Weese’s link between the Plaintiff, allegation of lies, and White Supremist neo-Nazis has the potential to incite hate.
153. On November 11, 2021, the Plaintiff received a letter from the Defendant Wichtel placing the Plaintiff on temporary partially unpaid leave, as a result of the mandatory vaccination policy contrary to the Defendant Yates and her administrators agreement that the Plaintiff’s natural immunity status would be considered. The Defendant, Yates knew or ought to know that the vaccination policy was unreasonable, because it failed to ensure health and safety by testing for immunity after multiple admissions by the University that it would foster in natural immunity in its policy. The Defendant, Yates, owed the Plaintiff a fiduciary duty to address the Plaintiff’s natural immunity, afford him equal treatment, and uphold his common law rights and *Charter* rights under sections 2, 7 and 15 of the *Charter*, with respect to the choice to decide on any and all medical treatment, and the requirement of consent.
154. On or around November 16, 2021, the Municipal Police investigation into the criminal conduct of Weese required cooperation and assistance from the Campus Police. The Defendant, Arnott interfered with, obstructed, and halted the cooperation of University of Guelph Campus Police

officers in the criminal investigation of the Defendant Weese and directed that all matters be referred to Human Resources to her attention. As a result, Arnott acted unlawfully and failed to take steps to investigate the conduct of the Defendant, Weese, which she had re-directed from the police to herself. Arnott acted with malicious intent in abuse of her power and authority to injure the Plaintiff, in furtherance of the two over-lapping conspiracies with respect to social media posts to injure the Plaintiff, and the conspiracy to have the Plaintiff removed as a Professor and off-campus.

155. The University through its administrator Arnott, is vicariously liable for the abuse of power and authority to interfere with and obstruct the criminal investigation and collaboration between Campus Police and Municipal Police in order to conceal and encourage the criminal conduct of the Defendant Weese in causing harm to the Plaintiff. In doing so, the University breached its fiduciary duty to the Plaintiff.
156. On November 26, 2021, the Plaintiff received the Nick Duley report of the “harassment” allegation by the Defendants Pyle, Peregrine and Bienzle which had failed to examine the ongoing and past harassment of the Plaintiff, and also failed to address the ongoing police investigation against the Defendants Weese and Pyle, and failed to address the collusion of the Defendants, Weese and Arnott in perpetuating the harassment against the Plaintiff or uncover the conspiracy among them.
157. The vexatious conduct of the University is evidenced by the fact that the Defendant Weese was added to the harassment complaint exclusively on the basis that the Plaintiff placed the same note and copies of the same three publications in his on-campus mailbox and for no other reason whatsoever.

158. The Defendant, Arnott, committed misfeasance of public office by halting and usurping the criminal investigation by Campus Police into the Plaintiff's harassment allegations and by controlling the parameters and outcome of the contrived, biased, "3rd party investigation" against the Plaintiff.
159. The Defendant University and its employee co-Defendants, Yates, Arnott, and Wichtel, owed a duty to the Plaintiff to investigate the false website, byrambridle.com, and the evidence that showed Pyle knew or ought to have known who made the website impersonating Dr. Bridle. The Defendant Arnott and Wichtel's conduct and decision to not deal with the online harassment of the Plaintiff on the pretext that the University did not have jurisdiction, was false and contradictory of the University's position on Weese's tweets generally, and of on-line harassment investigations by the Defendant Nick Duley conducted for the University in other matters.
160. The Defendant, Wichtel and Arnott, showed clear and intentional bias in inconsistent and selective application of the University Harassment Policy. The Defendant, Wichtel, accepted the self-serving statements of the Defendants, Pyle, Peregrine, Weese and Bienzle and failed to inform the investigator that the alleged "unsolicited emails" sent by the Plaintiff were in response to the "unsolicited tweets" posted by the Defendants on social media where he had no presence or participation, and at the direction of Wichtel to enter "open discussion". The Defendant Arnott ensured the investigation was bent and one-sided, in line with participation in the overlapping conspiracies.
161. The Defendants', Arnott's and Wichtel's, decision to prohibit the Plaintiff from working at his office and lab from July 23, 2021 to the present, constitutes a misfeasance of public office, for

which the Defendant, Yates, and the University of Guelph are vicariously liable, in that they have, or ought to have, knowledge.

162. The prohibition from being able to attend campus resulted in the Plaintiff's pay and course load being reduced. The Plaintiff furthermore was unable to access his lab or conduct research, causing the loss of grants and funding from external sources, to be calculated at trial. It was further aggravated by the fact that the Defendant Wichtel and Arnott and Yates knew the Plaintiff was on research leave until December 30, 2021, and unable to conduct research off-site.
163. On December 3, 2021 the Plaintiff was informed that the Defendant, University of Guelph, was advertising a job for his teaching position. The Defendant, University of Guelph, owed the Plaintiff a duty to discuss the Plaintiff's teaching or discuss alternative solutions (such as remote learning), as it had promised to do so in July 2021, in breach of its fiduciary duty.
164. The Defendants, Wichtel and Arnott, knew that the Defendants, Pyle and Weese, continued the *ad hominin* attack and on-line harassment against the Plaintiff throughout the entire duration of the investigation in which they claimed that they felt "unsafe". While feeling "unsafe" they continued, and continue to date, to maliciously bait and harass the Plaintiff with the Defendant Wichtel and Arnott's knowledge, complicity, and support, including support to mount a legal defense for their offensive off-campus activity.
165. The conduct of the Defendants who conspired together to prevent the Plaintiff him from working at his office and lab irreparably damaged his research, and his collaboration, and relationships with both internal and external scientists and researchers, including on the COVID 19 vaccines.
166. The Defendant, Yates is vicariously liable for the actions of the Defendants, Wichtel and Arnott, and also vicariously liable for failing to address the harassment of the Plaintiff, by the Co-Defendants, Pyle and Weese, which complaints Yates wholly ignored.

167. On December 14, 2021, the University prohibited the Plaintiff from accessing the University and put him on partial unpaid leave, effective January 5, 2022.
168. The Plaintiff's exclusion from campus for five (5) months from December 14, 2021 to May 1, 2022 was a breach of his common-law, constitutional and statutory rights to informed consent to medical treatment. The Plaintiff was deprived of his rights under sections 2, 7 and 15 of the *Charter* by the Defendant Yates' decision in carrying out and enforcing a policy which forced COVID-19 vaccines over natural immunity. The Defendant Yates knew or ought to have known that the policy denied the Plaintiff the right to consent and to have autonomy over medical treatment, all of which was not in accordance with the principles of fundamental justice.
169. The Plaintiff's COVID-19 research was, and is, considered "essential," but his cancer research was considered "non-essential", except for literature based and data analysis, is also laboratory research intensive. His research cannot and could not be conducted remotely. The Plaintiff's research requires presence in the laboratory and animal facility because it involves cell-based and animal-based research. The Defendant University and the Defendant, Wichtel, knew or ought to have known, from the Plaintiff's Research Management Plan that the vast majority of his research would need to be conducted on campus.
170. Notwithstanding the policy of general application and given the strong evidence of immunity and health and safety presented by the Plaintiff to the Defendant University, and, in particular, directly to the Defendant Yates, the Plaintiff was owed a duty of care. The Defendant Yates decision to exclude the Plaintiff from campus for five (5) months is contrary to the policy's rationale which fails to ensure health and safety by recognizing immunity and using vaccination as the only measure of a substitute for immunity and ignoring adverse side effects from vaccines. The Defendant Yates, failed to guard against damages that were foreseeable and the violation of

the Plaintiff's common-law, statutory, and ss. 2, s.7 and s.15 *Charter* rights, breach of right to medical consent to treatment and failure to provide a reasonable system of exemption arising from natural immunity.

171. The September 17, 2021 letter, confirmed multiple admissions by the University that it would factor in natural immunity. The Plaintiff had explained that natural immunity is more robust, longer lasting and broader than vaccine immunity. The Defendant, Yates exercised her discretion and authority arbitrarily and for improper motives. Further, the Defendant Yates selectively denied access to campus to the Plaintiff, a disfavoured minority violating equal protection under s.15 of the *Charter*.
172. On January 4, 2022, the Defendant, Wichtel, caused the Plaintiff mental anguish and suffering by threatening further “non-disciplinary” measures would be implemented without cause, basis or evidence, which was above and beyond the discipline of five (5) days of paid suspension.
173. The Defendant Wichtel's claim that the Plaintiff is allowed to attend anywhere and everywhere on campus beginning January 4, 2022 **except his office or his lab** is a direct interference with his economic interests. The Defendants, Wichtel and Arnott's, assertion that the Plaintiff was prohibited to attend his office and lab is directly contradictory to their representations on many occasions, including on November 30, 2021 and January 4, 2022 that, but for the non-compliance with the vaccination policy he can return to work. The Defendant, Wichtel, abused his powers in public office in exceeding his authority in an arbitrary and capricious manner by prohibiting the Plaintiff from pursuing his economic interests exclusively related with and requiring his physical presence at his office and lab at the University. The Defendant, Wichtel, engaged in a public misfeasance of office and unjustifiably interfered with the Plaintiff's research and pursuit of economic interests by prohibiting him from his lab when he knew, or

- ought to have known, the damages which would ensue during the period of his research leave. a
- The Defendant, Wichtel, personally approved the Plaintiff's and therefore knew the Plaintiff's inability to access his lab for six months undermined the purpose and objective of the leave and aggravated the losses and damages resulting from his abuse of authority.
174. On February 21, 2022, the Defendant, Wichtel, created a new impediment by proposing relocation of the Plaintiff's lab and office from the Pathobiology building. The Defendant, Wichtel, breached his duty of care to the Plaintiff by also failing to reconfigure the Defendants, Peregrine and Bienzle's, and the Plaintiff's work schedule and environment to minimize and prevent contact rather than uproot the Plaintiff causing harm.
175. The Defendant, Wichtel, knew or ought to have known that the Plaintiff is more likely to encounter the Defendants, Bienzle and Peregrine, in other locations on campus, especially the cafeteria and lecture halls than his office or his lab. Particularly because the Plaintiff does not share a lab with Bienzle and Peregrine's research it is far less intensive than the Plaintiff's not requiring Peregrine's presence in the lab when the Plaintiff is there.
176. On February 23, 2022, the Plaintiff rejected Wichtel's proposal to move his lab and/or office for valid reasons which the University has ignored.
177. On February 25, 2022, Wichtel issued a two-year no contact order between the Plaintiff and the Defendants, Pyle, Peregrine, and Bienzle knowing that this would only injure the Plaintiff from accessing his lab and office and not to prevent physical contact with the three Defendants on campus. The Plaintiff had no contact with them since July 22, 2021.
178. The Defendant, Wichtel, further engaged in public misfeasance of public office when he indicated that "The University has retained Protect International to undertake a workplace **violence** risk assessment," despite the fact that neither the Campus Police, nor the

privately retained investigator, Nick Duley found any evidence of violence, as a false pretext to continue to prolong and prevent the Plaintiff to access his lab, and his office and investigate the damages caused by the prohibition from July 23, 2022.

179. On March 22, 2022, the Defendants, Wichtel and Arnott, without statutory authority demanded the Plaintiff submit to an interview for a workplace “violence risk assessment,” circumventing the Plaintiff’s solicitor, abusing their power and authority and acting outside their jurisdiction and authority over what are essentially criminal allegations.
180. On March 24, 2022, due to the Plaintiff’s legal counsel’s ICU hospitalization, requested a postponement.
181. The Defendants, Wichtel and Arnott, subsequently knowingly and falsely conflated complications with scheduling the interview because of the Plaintiff’s legal counsel’s illness, as the Plaintiff refusing to attend the interview, and on April 29th, 2022, the Plaintiff received correspondence from Wichtel indicating that the workplace violence and risk assessment had been completed in the Plaintiff’s absence, and findings and next steps had been made pursuant to this report. Under the pretext of this risk assessment report, the Defendant, the University of Guelph, and its employees Arnott and Wichtel, unilaterally decided to move the Plaintiff’s lab and office from the Pathology building and prohibited the Plaintiff from access the Pathology building where all of the Plaintiff’s research equipment and materials are present, and academic work is performed causing immense harm to his future lab research and productivity, as well as his teaching career.
182. No “risk assessment report” was ever provided to the Plaintiff or his legal counsel.
183. On May 1, 2022, the vaccine mandates exclusion ended on campus. The Defendants, Wichtel and Arnott without justification still prohibited the Plaintiff from attending his office and lab on

campus, despite the fact that other faculty members who are “unvaccinated” were allowed to attend physically on campus and continue in person teaching. This was an arbitrary decision intended only to interfere with the Plaintiff’s research productivity and success and not to prevent contact with the Defendants, Pyle, Peregrine, and Bienzle .

184. On August 11, 2022, the Defendant, Arnott, orally informed the Plaintiff that the risk assessment concluded that the Plaintiff was a **psychological safety risk** to “other members,” in an arbitrary and capricious manner because at the same time she also requested that the Plaintiff enter into a “facilitated discussion” , without any further particulars or details, despite a request from Plaintiff’s counsel.
185. On the August 11, 2022 at a virtual meeting between the Plaintiff, his legal counsel, and the Defendants, Wichtel and Arnott, the Plaintiff formed a reasonable expectation that the University would act in good faith to permit him to return to his lab and office immediately, based on the representations made by Arnott.
186. On September 20, 2022, by letter, the Defendant Arnott made the return of the Plaintiff to his office and lab at the Pathobiology building conditional upon the Plaintiff developing a safety plan with the Campus Safety Office (Campus Police) and requested his legal counsel to advise as to how he wishes to proceed, despite the fact that Campus Police had made a safety plan following the July 22, 2021 incident, which Pyle and Arnott ignored. Arnott further required, as conditions, agreement that the Plaintiff would not pursue criminal or civil proceedings against the Defendants.
187. On November 4, 2022, the Plaintiff proposed a plan in good faith and in the interests of immediately to returning to his office and lab, which included the development of a safety plan, given the Plaintiff’s own concerns about his safety and psychological well-being due to the

continued on-line harassment and conduct of the Defendants, Pyle and Weese. The University neither rejected nor accepted this proposal, and in fact never responded. The University breached its duty of care to consider and respond to the very reasonable proposal.

188. Instead, on December 8, 2022 at 4:29 PM the Defendant, Wichtel, circumventing the Plaintiff's solicitor and ignoring the November 4, 2022 proposal, and contrary to Arnott's position of August 11 and September 20, 2022, directly and unilaterally notified the Plaintiff that his office would be moved, without his consent, within eight (8) days on December 16, 2021 to a building in closer proximity to the Defendant Weese, knowing that Weese's harassment of the Plaintiff had escalated, in a move to further entrap, frame, and set him up for more conflict. The Defendant University of Guelph is vicariously liable for the Defendant, Wichtel, who is acting in bad faith. Both Defendants are aware that the location of the Plaintiff's laboratory had been strategically selected by the chair of his department at the time he was hired to promote interdisciplinary collaborations, which it has since achieved, and that any relocation or movement would harm this overall and important objective as well as immeasurably injure the Plaintiff's academic and research career.
189. The Defendant, Wichtel breached the duty of care owed to the Plaintiff as his Dean to ensure he could return to productivity and successfully work in a lab and office knowing he had shared equipment which other programs used, and worth over one million dollars, which equipment was attached to the building infrastructure. The removal, even if possible, would be to the detriment of the Plaintiff's research and other programs. By continuing to prohibit the Plaintiff from the Pathology building the Defendants, Wichtel and Arnott, prevented the Plaintiff from performing any and all research and work.

190. On December 6, 2022, the Plaintiff became aware of the Defendant Weese's December 1, 2022 post which incited hate against him as follows:

“It's bad enough that misinformation scared people away from vaccination (causing lots of death).
Now they're scaring people away from blood transfusions....with no accountability.”

Due to the fact that the Defendant Weese accused the Plaintiff of “causing lots of death,” called for him to be held “accountable,” posted directly above the Plaintiff's name, contact information, and a full photograph of the Plaintiff, the Municipal Police cautioned the Plaintiff to take measures for his own safety and informed him that the Defendants, Weese and Pyle, would be notified of their arrest for *inter alia* criminal harassment. The Plaintiff took immediate steps to secure a personal escort trained and experienced in law enforcement for his own safety and that of his family.

191. Now that the Plaintiff had an escort, a retired police officer, for his own safety, on December 12, 2022, the Plaintiff submitted an urgent proposal, through his legal counsel, to access his office and lab, as he would be accompanied by a former law enforcement officer, and this would allay any safety concerns, purported or real. The Plaintiff advised he would need to attend on December 14, 2022, to commence preparation for his courses in January 2023.

192. In response, on December 13, 2022, Arnott, in a letter to Plaintiff's legal counsel, prohibited the Plaintiff from attending at his lab and office, without justification and in an unreasonable manner, under threat that if the Plaintiff entered the Pathobiology building, he would be forcibly barred and/or removed. The Defendant, Arnott, acted maliciously in an abuse of public office.

193. On or about December 14, 2022, the Defendant Pyle was issued notification of pending arrest for criminal harassment by Municipal Police. He was asked to attend the police station for processing. He refused. Instead, he contacted his Faculty Association representative, who, along

with the University, located a friendly Ontario Provincial Police (OPP) officer apparently in a cozy relationship with the University, who called the Municipal Police Officer heading the investigation and case, to intimidate and threaten the Municipal Officer to drop or withdraw the charges. The OPP officer had absolutely no prior involvement with the investigation whatsoever, thus constituting an obstruction of justice.

194. As a result of the impending criminal charges, on December 16, 2022, at approximately 11 a.m., the Defendant, Pyle, put his account on “protected status” allowing only those Pyle permits to access it.
195. Furthermore, the University of Guelph Defendant(s) spread a prevalent, false rumour over the course of December 16-17, 2022 that the Plaintiff, Dr. Bridle, had been arrested and criminally charged, which was untrue, and further evidence of the Defendants’ conspiracy and on-line harassment.
196. The Defendants, Wichtel and Arnott knew, or ought to have known, that as a result of prohibiting the Plaintiff access his office and lab, he would not be able to teach his course in January 2023. He would not be able to recruit new graduate students, which would mean that there would be no overlap between old graduate students teaching the next generation of graduate students. Therefore, there will be no continuity of the Plaintiff’s research program, which has, and will, result in irreparable damage to his research and academic career, reputation, and relationships. As a result of the University’s conduct and, in particular, the conduct of the Defendants Wichtel and Arnott barring the Plaintiff from his office and lab for approximately 1.5 years, and the University Defendants’ continued conduct to date, his vaccine and cancer research has been set back 10 years.

197. As a result of the Defendants' actions, as set out above, the Plaintiff has suffered extensive damages, including but not limited to:

- (a) Significant loss of standing as a virologist, immunologist, scientist, and academic;
- (b) Loss of income, equipment and lab and materials;
- (c) Damage to his teaching career and research program, including
 - (i) at least ten years set back to his research programs, which he was conducting at the University of Guelph;
 - (ii) Loss and missed opportunities to apply for research grants;
 - (iii) Inability to recruit new graduate students for over two consecutive academic years, and therefore a loss of memory carryover and of expertise in his research team, resulting in harm to his vaccine and cancer research; and
- (d) Mental anguish and suffering.

LIABILITY OF DEFENDANTS

- **Online Harassment**

198. Based on the facts and elements of tortious conduct pled above, the Plaintiff states that the conduct of the Defendants, Fisman, Weese and Pyle constitutes the newly-recognised tort of (online) harassment as delineated by the Ontario Superior Court in *Caplan v Atas 2021 ONSC 670* at paragraph 171. The test for online harassment being as follows:

- (a) The defendant maliciously or recklessly engaged in communications and conduct so outrageous in character, duration, and extreme in degree, so as to go beyond all possible bounds of decency and tolerance;
- (b) The defendant intended to cause fear, anxiety, emotional upset or to impugn the dignity of the plaintiff; and
- (c) The plaintiff suffered such harm.

Which are all present in this case.

199. The Plaintiff states, and the fact is, that the conduct of the Defendants, Pyle, Fisman, and Weese, along with parties currently unknown to the Plaintiff, but responsible for the creation and authorship of Byrambridle.com and @byrambridle, are harassment, in that the above-cited statements published on Byrambridle.com and Twitter, @byrambridle, are/were false, and untrue statements, and further were explicitly, and by innuendo, injurious to the Plaintiff's work and reputation and relationships as an academic, research scientist and vaccinologist, and further knowingly inflicted mental pain and anguish, fear, anxiety and emotional upset, on the Plaintiff.
200. The Plaintiff states, and the fact is, that the Defendants, Fisman, Weese, Pyle, have engaged in:

- (a) Repeated and serial publications of false, malicious, reckless, and, derogatory material, extreme in degree and beyond all possible bounds of decency and tolerance, damaging the Plaintiff and inciting hatred against him;
 - (b) Harassment intended to affect the economic interests and reputation and relationships of the Plaintiff;
 - (c) With respect to these Defendants, in the fake accounts, byrambridle.com and @byrambridle (twitter), harassment designed to impersonate (personate) and thereby cause specific harm to the Plaintiff's reputation and relationships;
 - (d) Intentional infliction of fear, anxiety and misery, and mental pain and anguish on the Plaintiff, and his family which in turn causes more pain and anguish to the Plaintiff;
 - (e) As a result of the above, the Defendant has suffered extensive damages, including injury to reputation and relationships with funders and grant agencies;
201. Furthermore, these false statements were designed to interfere with the Plaintiff's contractual obligations and economic interests, and ability to publish.
202. The statements were published on the internet, through the fake website ByramBridle.com, and over Twitter, using the false handle @byrambridle, as well as over social media.
203. As a result of the statements and conduct of these Defendants, Fisman, Pyle, and Weese, the Plaintiff suffered damage as follows:
- (a) considerable financial damages;
 - (b) damage to reputation;
 - (c) loss of funding and donor support for his scientific research and graduate programs;

- **Conspiracy**

204. The Plaintiff states and fact is, that all the named Defendants, Fisman, Pyle, and Weese, as well as other “duped co-conspirators”, engaged in the actionable tort of conspiracy in order to discredit and therefore silence the Plaintiff, and damage his reputation and relationships.
205. The Plaintiff states that the Defendants, Arnott, Wichtel, Weese, Pyle, Peregrine, Bienzle, Greer, Fisman, and Duley engaged in the overlapping conspiracy to discredit, and falsely malign and damage the personal and professional standing, reputation, and work of Plaintiff with a view, aim, and objective to force and/or remove the Plaintiff as a researcher and tenured professor at the University.
206. The Plaintiff states that the Defendants further conspired to interfere with the Plaintiff’s economic interests, pursuant to civil conspiracy as set out by the Supreme Court of Canada, in, inter alia, *Hunt v. Carey Canada Inc.*, 1990 CanLII 90 (SCC), [1990] 2 SCR 959, which set out that the tort of the conspiracy comprised of the following elements:
- (a) In the first place there will be an actionable conspiracy if two or more persons agree and combine to act unlawfully with the predominating purpose of injuring the plaintiff.
 - (b) Second, there will be an actionable conspiracy if the defendants combine to act lawfully with the predominate purpose of injuring the plaintiff.
 - (c) Third, an actionable conspiracy will exist if defendants combine to act unlawfully, their conduct is directed towards the plaintiff (or the plaintiff and others), and the likelihood of injury to the plaintiff is known to the defendants or should have been known to them in the circumstances.

207. The Plaintiff states that the overlapping conspiracies, of the social media online harassment, and the conspiracy to remove the Plaintiff from the University, are manifest by, *inter alia*:

- (a) The false and malicious statements made in furtherance of the conspiracy as set out in the within Statement of Claim, which were pre-planned by Fisman, Weese, and Pyle;
- (b) The creation of a false website and Twitter account to further that conspiracy;
- (c) The concerted and co-ordinated actions of online harassment designed to destroy the Plaintiff;
- (d) The contrived, false allegations of the plaintiff being a “violent threat” and “clear and present danger” on campus, which were preplanned by the Defendants as pleaded above;
- (e) The persistent false allegations and conduct in attempting to, and in fact, physically removing and barring the Plaintiff from campus and in particular, his office and lab by Arnott and Witchel;
- (f) The wholly arbitrary and illegal conduct creating the conditions that have made it impossible for the Plaintiff to continue his work;
- (g) The arbitrary and different treatment of complaints made by the Plaintiff, by the Defendants, Arnott, Wichtel, and Yates;
- (h) Interfering and stopping the Campus Police Investigation;
- (i) The University Defendants’ malicious biased, and singularly obsessive targeting at every turn, to force and/or remove the Plaintiff from his campus office and lab; and
- (j) The Defendants’, Greer, Bienzle, Weese, and Pyle, in organizing and publishing the July 6, 2021 letter to injure the Plaintiff.

- **Interference with Economic Interest**

208. The Plaintiff states that, through their conduct and actions, all the Defendants have engaged in interference with the Plaintiff's economic interests as set out by the facts, pleaded above, and set out by the jurisprudence in that:

- (i) the Defendants intended to injure the Plaintiff's economic interests;
- (ii) the interference was by illegal or unlawful means; and
- (iii) the Plaintiff suffered economic harm or loss as a result.

- **Breach of Fiduciary Duty**

209. The Plaintiff further states that the Defendants, the University of Guelph, Yates, Arnott, and Wichtel, in addition to the duties of fairness and reasonableness, at common law, Administrative Law, and under statute, further owe a fiduciary duty to the Plaintiff, in that the Defendants assumed a fiduciary relationship, and owed a corresponding fiduciary duty of care to the Plaintiff, for the following reasons:

- (a) The Defendants were, and are, in a position of power over the Plaintiff, and were able to use this power and their authority so as to control and affect the Plaintiff's interests;
- (b) The Plaintiff was, and is, in a corresponding position of vulnerability toward the Defendants. The Plaintiff was, and is, therefore in a class of persons vulnerable to the control of the Defendants;
- (c) There was, and is, a special position of trust between the Defendants and the Plaintiff, governed by statute, the *Charter*, and the common law;
- (d) The Defendants University of Guelph, Yates, Wichtel, and Arnott undertook to act in the best interests of the Plaintiff equal to other faculty members;

(e) The Defendants breached this fiduciary duty;

And, as a direct result of this breach, the Plaintiff has suffered loss and damages, which include,

inter alia:

- (a) Damage to reputation and interference with the economic interests of the Plaintiff
- (b) Loss of grants and funding for his research;
- (c) Immeasurable loss of research productivity and progress, in fact, his research has been set back at least ten years;
- (d) Loss of graduate students, graduate student retention, future opportunities with graduate students;
- (e) Loss of opportunity with research collaborators and projects;
- (f) Loss of dignity; and
- (g) Violation of the Plaintiff's psychological integrity guaranteed and protected by s.7 of the *Charter*, as well as violation of the Plaintiff's dignity of equal treatment under s.15 of the *Charter*;
- (h) Pain and anguish

- **Negligence**

210. The Plaintiff further and alternatively states, that the Defendants, the University of Guelph, its President, and the Plaintiff's Dean, Witchel, are vicariously, and in fact, liable in negligence, along with Wichtel, and Arnott, in that:

- (a) They owe a duty of care to the Plaintiff to ensure a safe and non-hostile and harassment-free environment from other University Faculty, and to be safe from tortious and criminal

conduct, and ensure the viability of the plaintiff's academic freedom (of speech) and work as a professor and scientist;

(b) That they breached this duty of care by choosing and/or failing to:

- (i) Put an end to the tortious and criminal conduct and harassing of the Plaintiff by the Co-Defendants;
- (ii) Properly train and supervise subordinates under their control;
- (iii) With respect to Nick Duley, the duty to assume jurisdiction only if statutorily authorized, and to conduct a competent investigation, which he failed to do in conducting a negligent investigation as set out in the within Statement of Claim;

(c) And that, as a result of that breach in the Defendants' duty of care, the Plaintiff suffered damages as follows:

- (i) Damage to reputation and interference with the economic interests of the Plaintiff;
- (ii) Loss of funding for his research;
- (iii) Loss of research productivity and set back to research program of at least ten years;
- (iv) Loss of graduate student, graduate student retention, future opportunities with graduate students;
- (v) Loss of dignity; and
- (vi) Violation of the Plaintiff's security of the person, bodily autonomy and autonomy of medical treatment psychological integrity guaranteed and protected by s.7 of the *Charter*, as well as violation of the Plaintiff's right to equal treatment under s.15 of the *Charter*;

(vii) Pain and anguish.

For which the Defendants are liable in damages.

• **Intentional Tort of Abuse of Authority and Misfeasance of Public Office**

211. The Plaintiffs state, and fact is, that the Defendants, Yates, Wichtel, and Arnott, Weese, Pyle, and all other University Defendants, have knowingly engaged in misfeasance of their public office, and abuse of authority, through their public office, as contemplated and set out by the Supreme Court of Canada in, *inter alia*, *Roncarelli v. Duplessis*, [1959] S.C.R. 121 *Odhavji Estate v. Woodhouse* [2003] 3 S.C.R. 263, 2003 SCC 69.

212. The Plaintiff states that, through their conduct and actions, the Defendants, Wichtel, and Arnott, abused their positions of public office, exceeding their authority, in the following arbitrary and capricious manner:

- (i) Wichtel and Arnott acted with malice towards the Plaintiff with the knowledge that their conduct lacked statutory authority in initiating a “workplace harassment” claim on allegations which were criminal and which had been dismissed by Guelph Campus Police;
- (ii) The Defendant, Arnott for interfering and obstructing and halting the Campus Police investigation against Weese and Pyle, as well as the Municipal Police’s investigation;
- (iii) The Defendant Arnott by interfering with the Campus Police cooperation with Municipal Police investigation on the criminal conduct of the Defendants, Pyle and Weese;
- (iv) The Defendant Yates is vicariously liable for the Defendant Arnott’s abuse of public office, as well as the conduct of Weese, Pyle, and Arnott, and the other Professor co-Defendants, by not controlling their tortious conduct even though Yates was apprised.

And the Plaintiff further states that, in engaging in this abuse of authority and misfeasance of public office, the Defendants have not injured the Plaintiff, but also undermined, breached and subverted the objective and purposes of the University of Guelph, as set out under s. 3 of the *Act*.

- **Vicarious Liability**

213. The Plaintiff further states that the Defendants, University of Guelph, Yates, Wichtel, and Arnott are vicariously liable for the action and inaction of the administrators, and the professors Weese, Pyle, Peregrine, Bienzle, and Greer who are all “teaching staff” of the University. The University and Yates are vicariously liable for:

- (i) Arnott’s use and abuse of her power, authority, and position at the University, take control of, interfere with, and obstruct the criminal investigation and, to defend and encourage the criminal conduct of the Defendant Weese, all of which caused harm to the Plaintiff;
- (ii) Arnott and Wichtel’s conduct of criminal investigation under the guise of disciplinary proceedings without lawful authority and jurisdiction;
- (iii) The Defendants, Arnott’s and Wichtel’s, decision to prohibit the Plaintiff from working at his office and lab from July 23, 2021 until January 4, 2022, and from May 1, 2022 to present, constituted a misfeasance of public office, for which the Defendant, Yates, and the University of Guelph had knowledge and are vicariously liable, in that they had, or ought to have, knowledge;

- (iv) For the Defendants, Arnott and Wichtel, failing to address the harassment of the Plaintiff, by the Co-Defendants, Pyle and Weese, as well as Peregrine, Bienzle, and Greer, which complaints Yates wholly ignored;
- (v) For allowing the Defendants, Arnott and Wichtel, to unilaterally decide to move the Plaintiff's lab and office from the Pathology building and prohibiting the Plaintiff from access to the Pathology building where all of the Plaintiff's research equipment and academic work performed causing immense harm to the Plaintiff's present and future lab research and productivity, as well as his teaching career.

- **Endangerment of Plaintiff's Life**

- 214. The Plaintiff states that the Defendants, Fisman, Pyle and Weese, and in particular Pyle and Weese, have placed the Plaintiff in physical and psychological danger, culminating with Weese's latest post in which they accompany a photograph of the Plaintiff, and incite hatred by stating that he is causing harm and death to others, and must be held accountable which post was dated December 1, 2022, as well as Fisman's labelling the Plaintiff as an "anti-vaxxer," white "Neo-Nazi."
- 215. The Plaintiff states that these vile posts, which incited hatred, make the Plaintiff vulnerable to physical and psychological attack and knowingly inflicts harm, anguish and pain.

- **All Documents referred to in within Claim**

216. The Plaintiff further pleads any and all documents mentioned in this Statement of Claim as documents referred to in the pleadings herein.
217. The Plaintiff therefore seeks the relief set out in paragraphs 1 to 5 of the within statement of claim.
218. The Plaintiff proposes that this action be tried in Toronto.

Dated at Toronto this 19th day of December, 2022.


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Dr. BYRAM BRIDLE

-and-

Glen PYLE et al

Plaintiffs

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

STATEMENT OF CLAIM

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