

# Paul Taylor

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Hamilton, Ontario [REDACTED]  
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January 15, 2022

The Honourable Paul R. Sweeny  
Regional Senior Judge,  
Superior Court of Justice  
Hamilton Courthouse  
45 Main Street East  
Hamilton, ON L8N 2B7

Dear Honourable Sweeny,

**Re: Toombs et al v. WorkSafeBC et al.  
Court File No. CV-21-00076781-00CP**

I am writing in response to Mr. Lokan's letter, of January 14, 2022, where Mr. Lokan who represents the Workplace Safety & Insurance Appeals Tribunal ("WSIAT") and is claiming to be lead representative in his letter for the alleged defendants. I say *alleged*, as the majority of the Defendants have not yet been officially served. That being aside from the WSIAT and the Workplace Safety & Insurance Board ("WSIB").

First, I wish to make clear that neither the WSIB nor the WSIAT have filed their defence in accordance with the Rules. I remind the court that it is the common practice of the WSIB and the WSIAT to hold people, in many cases with severe disabilities to the absolute time limits. Well according to Mr. Lokan maybe a grace of at most three months. However, I say as the saying goes *what is good for the goose is good for the gander*. However, I realize that the Rules of the Court, like the *Charter of Rights and Freedoms* do not apply to the WSIB nor the WSIAT, or at least in their minds, as proven by their latest conduct. As the old saying goes... *Do as I say not as I do!*

Second and most importantly, I wish to apologize for contacting the court, as I am well familiar with the court's directive on communication with the court, including communicating directly with a judge, let alone a **Regional Senior Judge**. However, I feel I must respond to Mr. Lokan's letter and his typical personal attacks on me. Honestly, I feel like I am dealing with someone who is worse than my ex-wife if that is possible.

Third, I have been, as requested by Mr. Belec of the WSIB, preparing information regarding the other claimants. However, I will NOT provide specific claim information or contact information. For this, I beg the indulgence of the court. I remind the court we are dealing with extremely fragile individuals who have been brutally & cruelly treated by their employers, the WSIB, & the WSIAT. That have genuine fears of acts of reprisal from the WSIB or the WSIAT. One need only look at the media to see the levels of overt reprisal the WSIB will go to intimidate and harass an injured worker. For example, in a CBC news story one woman, an injured worker, was stalked for over two years by the WSIB, to the point she now suffers from Post-Traumatic Stress Disorder. Ironically, the WSIB had no justification for their actions of stalking this injured worker. Yet will they EVER be held accountable. Likely not and the damage is done! Another, example was a Barrie Police officer who served her community with distinction and was actually charged with a criminal offence. This was for simply being an injured worker. The Barrie Police service then withdrew the charges. This is a classic example of an abuse of public office. However, such things do not exist in the world of injured workers according to the WSIB and the WSIAT. One would think that our courts would take acts of reprisal seriously. However, nothing has ever been done. In fact, it forces one to question the very integrity of our court system to allow such cowardly conduct. While I understand Mr. Belec, Mr. Lokan, and His Honour maybe unaware of such reprisal, the fact is that it occurs and occurs without any accountability.

That said, my intentions, at least for the claim filed in Ontario, as I can only speak to that. The claims filed in BC, Alberta, and other jurisdictions is for those lead plaintiff representatives to speak for them. For the Ontario claim, filed in Hamilton, I am intending to revise the initially filed claim to include the particulars of each claimant (without enough information that the WSIB and the WSIAT can go personally after the injured workers) and then file the proper Notice of Constitutional Question and a subsequent Notice of Motion to have a proper counsel appointed and it to be certified as a National Charter Class Claim. I will also be referencing concrete irrefutable scientific evidence of the WSIB & WSIAT's process of denying legitimate claims based on a system of illegal "*red flags*" and not based on law, facts, or even evidence. A system adopted by all other jurisdictions in Canada. Let's not even discuss their system of flaunting the law with the legal doctrine of thin skull, eggshell crumbing skull, when they blame the injured worker for everything. Also how they disregard Supreme Court decision including the denial of subjective medical evidence.

Mr. Lokan has indicated he wishes all matters to proceed before a judge in Ontario before any proper procedures have been followed or even allowing the claims to be correctly pled. This I believe is nothing more than a politically motivated move to silence any notices confirming the failures of this government. Moreover, it is typical of the WSIB and the WSIAT to demand the rules be dispensed with them. It is ironic as this was similar to the knee-jerk reaction from the WSIB and others who bombarded the court's e-mail with communication demanding to be heard on a motion that has still yet to be filed. Clearly an attempt of the WSIB and the WSIAT to control the narrative and the court. Again, I personally apologize to the court and most importantly the court staff who have to deal with this. I was unaware counsel would resort to such childish tactics. As Mr. Lokan knows with our past experience, I do not work in such a cowardly underhanded way. If I know a party wishes to speak on a matter, I, unlike the WSIB or the WSIAT actual allow them to be heard. As such, I will provide them with the materials. Unlike the WCBs, I do not work in the shadows. However, I do have concern and leave it to the

court that allowing an out of jurisdiction party to speak on a matter that has not granted them standing is like putting the cart before the horse and is clearly unjustly influencing the court. Regardless, from this point forward I will keep Mr. Belec, Mr. Lokan, and Mr. McKinnon informed of any filings and hope the court will not allow a breach of *procedural fairness*, or to be unduly influenced by the non-parties.

I will not comment on Mr. Lokan's typical and routine personal attacks on me. Nor will I comment on current proceedings before the Court of Appeal. It is no different than me commenting on any other legal matters Mr. Lokan and his firm has presented before all of the courts, including his law firm. It serves no purpose but to muddy the waters and waste the court's precious time. This is a common tactic of Mr. Lokan. I will say that at this time I am opposed to the matter moving forward until such time as the motions have been properly filed and responded to. That is unless the court wishes to dispense with the Rules and allow the National Charter Class Claim to be Certified as a Charter Class Claim under s. 24.1 of the *Charter*. I note the Charter is precedence over the *Rules of Civil Procedure* and the *Class Proceedings Act*.

In closing, I remind this Honourable Court that the City of Hamilton bears great significance to injured workers and this case, as it was in 1885, where five workers lost their lives in a munitions factory explosion. Their families received NOTHING. As a result of considerable public outrage, the first workers compensation act was created. Commonly referred to the employer's liability act.

I remain respectfully yours,



Paul Taylor

c.c     Mr. Loakn  
          Mr. Belec  
          Mr. McKinnon