

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
JUSTICE BELOBABA)

TUESDAY, THE 7TH
DAY OF JANUARY, 2020

BETWEEN:



THE LAW SOCIETY OF ONTARIO

Applicant

and

HARRY KOPYTO

Respondent

APPLICATION UNDER section 26.3 of the *Law Society Act*, R.S.O. 1990, c. L.8 (as amended)

ORDER

THIS APPLICATION by the Law Society of Ontario (“the LSO”), for a permanent injunction against Harry Kopyto, was heard on December 20, 2019 at the court house, Osgoode Hall, 130 Queen Street West, Toronto, Ontario, M5H 2N5, in the presence of the lawyers for the LSO and Mr. Kopyto, representing himself,

ON READING THE NOTICE OF APPLICATION AND THE EVIDENCE FILED BY THE PARTIES, and the parties’ respective factums, and on hearing the submissions of the parties, judgment having been reserved until this date,

1. **THIS COURT DECLARES** that Mr. Kopyto has engaged in the unauthorized provision of legal services, contrary to s. 26.1(1) of the *Law Society Act*, R.S.O. 1990 ("*the Act*"), c. L.8 and has held himself out as a person who can practice law or provide legal services, contrary to s. 26.1(2) of the *Act*.

2. **THIS COURT ORDERS** that Mr. Kopyto is permanently enjoined from contravening s. 26.1 of the *Act*, and in particular:

- (a) that Mr. Kopyto, and any business or business entity that he controls, is prohibited from practising law or providing legal services in Ontario, contrary to s. 26.1(1) of the *Act*; and
- (b) that Mr. Kopyto, and any business or business entity that he controls, is prohibited from holding Mr. Kopyto out as, or representing him to be, a person who can practice law or provide legal services in Ontario, contrary to s. 26.1(2) of the *Act*, including, but not limited to, by holding Mr. Kopyto out as a "legal agent".

3. **THIS COURT ORDERS** that Exhibit A and Exhibit E to the Affidavit of Peter Stehouwer dated December 18, 2018, in the Application Record shall be sealed and that the LSO shall be authorized to file a fresh copy of its Application Record with such exhibits removed or contained in a sealed envelope, such exhibits to remain sealed in the absence of a further order of the Court and that the Registrar shall replace the existing Application Record in the Court File with this fresh copy and return the existing Application Record in the Court File to the LSO.

4. **THIS COURT ORDERS** that Mr. Kopyto shall pay the LSO's costs of this application in the amount of ~~\$20,000.00~~^{\$7500.00} within 60 days of today's date. *

ER

Edw Pelletier J.

Edw Pelletier J.

(Signature of Justice)

*Costs Award – I have reviewed the parties’ cost submissions – The applicant asks for \$20,000; the respondent urges no costs. I accept the applicant’s point that a significant amount of work was done on this application before the cross-examinations and the realization that the facts would not be seriously contested by the respondent – Having considered the factors set out in Rule 57.01, I find it fair and reasonable to fix costs at \$7500 all inclusive, payable within 60 days by the respondent to the applicant Law Society. [This costs addendum was added on January 29, 2020.]

(EP) *(EP)*

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE RÉGISTRE NO:

FEB 24 2020

PER / PAR:

[Signature]

THE LAW SOCIETY OF ONTARIO and HARRY KOPYTO
Applicant

Court File No. CV-19-617826-0000

Respondent

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at TORONTO

ORDER

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