

Transcribed Order of the Ontario Superior Court of Justice

Court File Number CV-19-617826-0000

Applicant: The Law Society of Ontario

And

Respondent: Harry Kopyto

Signed by the Honourable Justice Belobaba

Dated Tuesday, the 7th day of January, 2020

Transcription Note: Court stamp visible

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 \$7500.00 within 60 days of today's date.

Transcription Note: The amount of costs payable was originally typed as \$20,000.00 but that amount was crossed out and initialled in the final order. The amount of \$7500.00 was written in by hand. An asterisk was also handwritten at the end of the fourth paragraph and additional comments were inserted by the Court below.

Transcription Note: signed by the judge twice

* 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.]

Transcription Note: The costs addendum is initialled

Transcription Note: stamped and signed by the court as issued and entered on February 24, 2020

Transcription Note: Backpage text reordered for clarity as follows

Title of Proceedings: The Law Society of Ontario (Applicant) and Harry Kopyto (Respondent)

Court File Number: CV-19-617826-0000

Ontario Superior Court of Justice

Proceeding Commenced at Toronto

Order

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