

## **Transcribed Order of the Ontario Superior Court of Justice**

Court File Number CV-18-590119

Applicant: The Law Society of Upper Canada

And

Respondent: Timothy Edward Leahy

Signed by the Honourable Justice Morgan

Dated Wednesday, the 25<sup>th</sup> day of July, 2018

Transcription Note: Court stamp visible

Application under Rule 14.05(2) of the *Rules of Civil Procedure* and section 26.3 of the *Law Society Act*.

### **Order**

This Application, made by the Applicant, the Law Society of Upper Canada, now the Law Society of Ontario (the "Law Society"), for a permanent injunction against the Respondent, Timothy Edward Leahy ("Mr. Leahy"), was heard this day at the court house, 361 University Avenue, Toronto, Ontario, M5G 1T3.

On reading the Application Record, Supplementary Application Record, Combined Second Supplementary Application Record and Supplementary Motion Record, Brief of Exhibits to Cross-Examinations, Motion Record, Second Supplementary Motion Record, Compendium re: Injunction Application, Factum and Book of Authorities, and Reply Factum and Reply Book of Authorities of the Law Society, and the Responding Record and Factum of Mr. Leahy, and on hearing the submissions of the Law Society and Mr. Leahy, self-represented.

1. This Court orders that Mr. Leahy is permanently enjoined from engaging in the practice of law in Ontario or the provision of legal services in Ontario, contrary to section 26.1 of the *Law Society Act*, R.S.O. 1990 c. L.8 as amended (the "*Law Society Act*").
2. This Court orders that, without limiting the generality of anything in this Order, Mr. Leahy is permanently enjoined from practicing law in Ontario or providing legal services in Ontario through any company or business entity, including but not limited to Forefront Migration Ltd., Forefront Placement Ltd, and Immigration North America Inc.
3. This Court orders that Mr. Leahy and any company or business entity controlled by him, including but not limited to Forefront Migration Ltd., Forefront Placement Ltd, and Immigration North America, Inc., are permanently enjoined from advertising or holding Mr. Leahy out as a person who may practice law in Ontario or provide legal services in Ontario, contrary to section 26.1 of the *Law Society Act*.
4. This Court orders that, without limiting the generality of anything in this Order, Mr. Leahy shall, within ten (10) days of the date of this Order:
  - a) Take all steps necessary to permanently remove the version of Mr. Leahy's LinkedIn profile accessible online as of July 6, 2018 (a copy of which is

attached as Schedule “A” to this Order) from the Internet and any other media;

- b) Take all steps necessary to permanently remove the version of the LinkedIn profile of Forefront Migration Ltd. accessible online as of July 6, 2018 (a copy of which is attached as Schedule “B” to this Order) from the Internet and any other media;
- c) Take all steps necessary to permanently remove the version of the LinkedIn profile of Forefront Placement Ltd. accessible online as of July 6, 2018 (a copy of which is attached as Schedule “C” to this Order) from the Internet and any other media;
- d) Take all steps necessary to permanently remove the version of Mr. Leahy’s curriculum vitae accessible online as of July 6, 2018 (a copy of which is attached as Schedule “D” to this Order) from the Internet and any other media; and
- e) Take all steps necessary to make the removal of the version of the website of Forefront Migration Ltd. accessible online as of May 7, 2018 (a copy of which is attached as Schedule “E” to this Order) from the Internet and any other media permanent.

5. This Court orders that, without limiting the generality of anything in this Order, Mr. Leahy shall take all steps necessary to remove any representations in any and all media that Mr. Leahy is a lawyer, an immigration lawyer, an immigration law practitioner, general counsel, counsel, an immigration consultant, a member of the Law Society or the Ontario bar, or may otherwise practice law in Ontario or provide legal services in Ontario, within ten (10) days of the date of this Order, or within ten (10) days of becoming aware of such representations, as appropriate.

6. This Court orders that, without limiting the generality of anything in this Order:

- a) The terms “practicing law”, “practice of law”, “practice law”, and any similar or analogous terms in this Order include the practice of immigration law; and
- b) The terms “providing legal services”, “provision of legal services”, provide(s) legal services”, and any similar or analogous terms in this Order include the provision of immigration-related legal services.

7. This Court orders that to the extent the steps taken by Mr. Leahy to comply with this Order include communication(s) with any third parties, Mr. Leahy shall make any and all such communication(s) in writing, and copy counsel for the Law Society.

8. This Court orders that Mr. Leahy shall provide a copy of this Order, and any related reasons or endorsement, to each of his current and prospective clients by letter, facsimile transmission, or email message, and copy counsel for the Law Society with all such letters, facsimile transmissions, and email messages, as the case may be, within ten (10) days of this Order. For clarity, this shall include current and prospective clients of Forefront Migration Ltd., Forefront Placement Ltd., Immigration North America, Inc., and any other company or entity through which Mr. Leahy provides services.

9. This Court orders that, in the event Mr. Leahy fails to take any of the steps required by the terms of this Order, or otherwise fails to comply with this Order, the Law Society may move for such further and ancillary relief as may be necessary to compel Mr. Leahy to comply with the terms of this Order, including but not limited to an Order declaring Mr. Leahy to be in contempt of Court and imposing any penalty contemplated by *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, which may include a term of imprisonment.

10. This Court seeks the aid and recognition of such foreign courts or other adjudicative bodies as may be necessary to give full effect to the terms of this Order.

11. This Court orders that the Law Society may in its discretion publish this Order in such media as it deems appropriate.

12. This Court declares that, for the avoidance of any doubt, the materials before the Court on this Application include the records and briefs of documents referred to the list attached as Schedule "F" to this Order.

13. This Court orders that costs are payable by Mr. Leahy to the Law Society in the amount of \$29,799 (inclusive of disbursements and HST), within thirty (30) days of the date of this Order.

14. This Court orders that, on the consent of the parties, the title of proceedings in all documents issued, served or filed after the date of this order shall be as follows:

Law Society Of Ontario – Applicant

And

Timothy Edward Leahy – Respondent

Transcription Note: signed by the judge

Transcription Note: stamped and signed by the court as issued and entered on August 3, 2018

Schedule "A"

Transcription Note: Schedule A is a printout of Mr. Leahy's LinkedIn page as of July 6, 2018.

Schedule "B"

Transcription Note: Schedule B is a printout of the Forefront Migration Ltd. LinkedIn page as of July 6, 2018.

Schedule "C"

Transcription Note: Schedule C is a printout of the Forefront Placement Ltd. LinkedIn page as of July 6, 2018.

#### Schedule "D"

Transcription Note: Schedule D is a printout of Mr. Leahy's curriculum vitae on Forefront Placement Ltd. letterhead.

#### Schedule "E"

Transcription Note: Schedule E is a printout of the Forefront Migration website as of May 7, 2018.

#### Schedule "F"

Transcription Note: Schedule F is in the form of a chart

Materials relied on by the Law Society for the Injunction Application returnable July 25, 2018

1. Application Record dated February 8, 2018
2. Supplementary Application Record dated February 14, 2018
3. Motion Record dated May 8, 2018
4. Combined Second Supplementary Application Record and Supplementary Motion Record dated June 20, 2018
5. Brief of Exhibits to Cross-Examination dated July 3, 2018
6. Second Supplementary Motion Record dated July 6, 2018
7. Factum of the Law Society re: Application for Injunction dated July 9, 2018
8. Book of Authorities of the Law Society re: Application for Injunction dated July 9, 2018
9. Compendium of the Law Society re: Application for Injunction dated July 9, 2018

Transcription Note: Backpage text reordered for clarity as follows

Title of Proceedings: The Law Society of Upper Canada (Applicant) and Timothy Edward Leahy (Respondent)

Court File Number: CV-18-590119

Ontario Superior Court of Justice

Proceeding Commenced at Toronto

Order

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