SHANKMAN LAW PROFESSIONAL CORPORATION

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Mayor Jennifer Coughlin
Township of Springwater
2231 Nursery Road
Minesing, ON L9X 1A8
Ontario, L9X 1L5

Via Email to: jennifer.coughlin@springwater.ca

Dear Mayor Coughlin,

Re: **Notice under the *Libel and Slander Act,* R.S.O. 1990, c. L.12**
Cease and Desist - Defamation of Geranium and Mr. Mario Giampietri

Please be advised that we are legal counsel to Mario Giampietri and Geranium, a member of the Midhurst Landowners Group ("MLG"). My clients have recently been made aware of untrue and defamatory comments you have made about Mr. Giampietri and Geranium.

You and your Council are well aware of the presentations made by Geranium and Mario Giampietri on behalf of the Midhurst Landowners Group before the Township and the County in respect of the issues of servicing of the Bayfield Corridor and the annexation by Barrie of certain Township lands as referred to in the County Staff Report presented to County Council during their November 4th Council meeting (the "Report").

It has been reported to our clients, and the undersigned has verified that you have made disparaging, derogatory, defamatory statements about our clients in oral conversations initiated by you. Those statements included the following, which are substantially as follows:

- Referring to Geranium, and Mario Giampietri specifically, as "the Mafia"; that "they are the f…ing (abbreviated here, but spoken, in full) Mafia".

  These statements were intended to convey to the listeners that our clients had the attributes of or were affiliated with a corrupt, organized, criminal enterprise and that the listener should be weary about having contact or dealings with them. The intent was to strongly alter the listeners' opinions of our clients so that they would regard them as being unsavoury characters and be deterred from having any contact or dealings with them or favourable to them.

- Referring to the Report, you stated that it was "corrupt"; "that MLG (meaning our clients on behalf of MLG) wrote that report"; and that "they (meaning MLG and our clients who represent MLG) "have tentacles everywhere".

These statements were intended to convey to the listeners that our clients had infiltrated public services and, in essence, had written the Report (which is authored and signed by senior County staff), which is favourable to the propositions presented by our clients. The innuendo and inference are that our clients somehow penetrated the staff reporting process, exerted surreptitious and immoral influence on the process and contents of the Report, "wrote" the Report and that the Report is thereby, "corrupt" and unreliable.

Again, the intent was to strongly alter the listeners' opinions of our clients and the Report so that they would regard our clients as being unsavoury characters and the Report, as being tainted, unreliable and unsupportable.

- In reference to MLG, of which Geranium is a participant and which is represented by Mr. Giampietri, of Geranium, that "they are "broke" and, that "they are going bankrupt".

  These statements were intended to convey to the listeners that MLG and by implication, our clients) were financially unstable, or worse, impecunious; with the obvious insinuation that they could not deliver on any past, present or future covenants to finance their projects within the Township, or elsewhere, and therefore were not viable or desirable parties and the Township could not or should not have business dealings with them.

The foregoing statements were made by you, recently. The identities and number of the people to whom you made those statements are well known to you and are not currently known by our clients.

Each of these statements is unequivocally untrue. The statements intentionally and maliciously create negative implications against Mr. Giampietri and Geranium. The contents of the statements are false. The plain and ordinary meaning and by implication and innuendo, the assertions that, (i) Mr. Giampietri, his company, Geranium, MLG and associated companies are or are part of a criminal organization, (ii) are unlawfully and/or unethically influencing or usurping the decisions/report of municipal staff and thereby Council members and (iii) are broke or going bankrupt, are each untrue and defamatory.

The clear and unequivocal intent of your communications was to influence the listeners to have disparaging opinions of my clients, to foster distrust in them and to discourage the listeners from accepting my clients presentations and proposals made to the County, the Township and their respective Councils and to discourage them from engaging in any dealings with my clients and the Midhurst Landowners Group, which they represent and are a member of.

We hereby demand that you cease all similar communications regarding Mr. Giampietri and Geranium and desist from any further untrue and defamatory commentary about them. Should we or our clients learn that you continue to spread false, unprofessional, and defamatory comments about Mr. Giampietri and Geranium, actions will be taken.

Mr. Giampietri and Geranium reserve all rights to pursue legal or administrative action in relation to your misconduct directed toward them.

This letter shall also constitute notice under subsection 5 (1) of the *Libel and Slander Act*, R.S.O. 1990, c. L. 12.

We ask that you confirm receipt and provide assurances you will not share or spread any further false and harmful communications regarding Mr. Giampietri and/or Geranium at your earliest opportunity.

Yours very truly,

SHANKMAN LAW PROFESSIONAL CORPORATION

J. P. Shankman

c: clients