

Court File No.: CV-20-00645492-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

EQUIBIT GROUP LTD.

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA, JOHN DOE, JANE DOE
SERGEI SACHKOV AND KARTIK PATEL**

Defendants

**STATEMENT OF DEFENCE OF THE ATTORNEY
GENERAL OF CANADA**

1. The defendant, the Attorney General of Canada (“Attorney General”) admits none of the allegations in the statement of claim.
2. The Attorney General denies the allegations in paragraphs 3-6, 17-18, 24-25, 34-43 and 45-46 and, in particular, that the plaintiff is entitled to the relief claimed in paragraphs 1 and 44 of the statement of claim.
3. The Attorney General has no knowledge of the allegations in paragraphs 7-16, 19-23, and 26-33 of the statement of claim.

The Defendant Attorney General

4. The Attorney General defends this action on behalf of Her Majesty the Queen in Right of Canada (the “Crown”) as represented by the Minister of Public Safety Emergency Preparedness (the “Minister”). The Minister is responsible to Parliament for the direction of CSIS.

5. CSIS is an agency of the Government of Canada, constituted pursuant to the *Canadian Security Intelligence Service Act*, R.S.C., 1985, c. C-23 (the “*CSIS Act*”), and responsible for investigating and reporting on activities suspected of constituting threats to the security of Canada.
6. Pursuant to sections 3 and 23 of the *Crown Liability and Proceedings Act*, RSC, 1985, c. C-50, (the “*CLPA*”) the Crown is liable for the torts committed by servants of the Crown.

Response To the Plaintiff's Allegations

7. CSIS did not engage in the acts alleged in the statement of claim attributed to “the CSIS defendants”. John Doe and Jane Doe, if they exist, are not CSIS employees.
8. On January 19, 2021, the Attorney General advised the plaintiff that CSIS has no knowledge of the acts alleged in the statement of claim. The plaintiff was invited to provide further information with respect to same pending the Attorney General needing to file a statement of defence.
9. On September 13, 2021, having provided no further information, the plaintiff demanded a statement of defence under threat of default proceedings.
10. The Attorney General pleads and relies on the *Crown Liability and Proceedings Act*, RSC 1985, c. C-50 as amended and the *Canadian Security Intelligence Act*, R.S.C., 1985 c. C-23 as amended.
11. The Attorney General requests that the action be dismissed as against it with costs on a substantial indemnity scale.

Date: October 1, 2021

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Defendant

Plaintiff

Defendants

ONTARIO

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Proceeding Commenced at TORONTO

STATEMENT OF DEFENCE

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