

Court File No.: COA-25-CV-0462
M56164

COURT OF APPEAL FOR ONTARIO

BETWEEN:

LAW SOCIETY OF ONTARIO

Appellant (Motion Respondent)

and

AA

Respondent (Moving Party)

FACTUM OF AA

July 8, 2025

James Melnick
27 Pinegrove Cr.
London, ON N6J 3Y8
519-902-0907
james@jamesmelnick.ca

Counsel for the Respondent

TO: Litigation Services, Professional Regulation
Department
Law Society of Ontario
1100-393 University Avenue
Toronto, ON M5G 1E6

Andrea Luey (LSO # 53764P)
Amanda M. Pinto (LSO # 61664K)
Discipline Counsel
T: 416-947-3951 / 416-947-3971
E: aluey@lso.ca / apinto@lso.ca

Counsel for the Appellant

PART 1 - OVERVIEW

1. This motion seeks to continue an anonymization and publication ban first granted by the Law Society Tribunal in January 2022, and subsequently upheld by both the Tribunal's Appeal Division and the Divisional Court. The order protects the identity of A.A. and his family, particularly four children, one of whom was a victim of A.A.'s historical misconduct, and three of whom are currently in treatment for mental health concerns.
2. The Law Society did not appeal or move to vary the anonymization order during the Tribunal proceedings. It expressly confirmed in writing that it would not seek to revisit the order unless the matter were remitted back to the Tribunal for a new hearing.
3. The Tribunal's Appeal Division did not remit the matter for a new hearing, and the Divisional Court later confirmed that there was no material change in circumstances warranting reconsideration.
4. The Law Society's current challenge to the anonymization order defies its own prior litigation stance, having declined to oppose the order before the Appeal Division and affirmatively represented that it would not seek variation absent remittal.
5. The anonymization order was grounded in uncontested expert evidence, upheld through multiple adjudications, and reaffirmed by a full panel of the Divisional Court. It protects children from serious psychological harm, exposure, and stigma, especially in light of growing online hostility and threats directed at A.A. and his family. Maintaining the order does not impair public transparency—the Tribunal and court decisions remain public, and A.A.'s licence condition will be published on the Law Society directory.

6. . Anonymization has been previously granted, upheld, and respected at every stage. There is no material change, no procedural basis to reopen the issue, and no compelling reason to revisit the balance already struck. The motion, if required, should be granted.

PART 2: FACTS

Procedural History

7. The Law Society Tribunal's Hearing Division heard the original matter in 2022. In advance of the hearing, A.A. brought a motion for anonymization of the proceeding. On January 26, 2022, after applying the *Sherman Estates* test, the Tribunal granted the motion and issued an anonymization and publication ban order to protect the identities of A.A., his former spouse B.B., and their four children.¹ In 2023, the Hearing Division, granted AA's licensing application, subject to a condition requiring AA to be supervised in any meeting with minor children.²
8. The Law Society appealed the finding of good character and the appropriateness of the licence condition to the Tribunal's Appeal Division. However, it did not appeal or seek to vary the anonymization order. In its amended notice of appeal, the Law Society did not challenge the publication ban.³ When counsel for A.A. later asked the Law Society to clarify its position, LSO counsel confirmed in writing on November 3, 2023 that the

¹ *AA v. Law Society of Ontario*, 2022 ONLSTH 9, <https://canlii.ca/t/jlw3z>

² *AA v. Law Society of Ontario*, 2023 ONLSTH 99, <https://canlii.ca/t/jzdc2>

³ Motion Record of AA, Tab 14, Page 209

Society would “only seek to vary Mr. Wardle’s order” if the matter were remitted for a new hearing.⁴

9. The Tribunal’s Appeal Division released its decision on March 15, 2024 and it made no change to the anonymization order.⁵ The order therefore remained fully in effect.
10. At no point during the Tribunal proceedings did the Law Society bring a motion to challenge, vary, or rescind the publication ban. The appeal proceeded under anonymization throughout, and the Law Society did not raise the issue of anonymity until it brought an application for judicial review in Divisional Court.
11. The Divisional Court upheld the anonymization order initially granted by the Tribunal and continued by the Appeal Division, finding that it was reasonable in light of the need to balance public protection with the interests of A.A.’s children. The Court emphasized that the original order was motivated by concerns for the privacy of A.A.’s children—particularly shielding them from the traumatic knowledge of their father’s past misconduct involving a sibling—and noted that neither the Hearing Division nor the Appeal Division had disturbed that order.
12. The panel rejected the Law Society’s argument that continuation of the order undermined transparency, stating that any change in circumstances justifying variation of the order must be addressed before the Tribunal, which remained the appropriate forum for first-instance review. The Court also found that there had been no material change in circumstances that

⁴ Motion Record of AA, Tab 2, page 13

⁵ *AA v. Law Society of Ontario*, 2024 ONLSTA 6, <https://canlii.ca/t/k3hdm>

would warrant interfering with the order and accordingly anonymized A.A.’s name in its own decision.⁶

The Children’s Vulnerability and Psycho-social Risk

13. A.A. and B.B. are the parents of four children. One of the children was directly impacted by A.A.’s historical misconduct as that child was a victim of his actions. Three of the children are currently in treatment for anxiety and stress-related conditions.⁷

14. The children are unaware of the Tribunal proceedings and the historical misconduct. B.B., who has maintained primary care responsibilities, attests that disclosure of A.A.’s name would inevitably lead to their identification, subjecting them to lasting emotional and social harm.⁸ Both parents agree that public exposure of A.A.’s name would irreparably harm the children’s mental health and dignity.⁹

15. The family is part of a small, close-knit religious community.¹⁰ A.A.’s name is uncommon and searchable, and publication would allow others to ‘connect the dots’, resulting in indirect identification of the children.¹¹ This risk is not speculative—it has already been

⁶ *Law Society of Ontario v. A.A.*, 2024 ONSC 5971, <https://canlii.ca/t/k7k06>

⁷ Motion Record of AA, Tab 2, page 10

⁸ Motion Record of AA, Tab 3, page 26

⁹ Motion Record of AA, Tab 2, page 11

¹⁰ Motion Record of AA, Tab 8, page 61

¹¹ Motion Record of AA, Tab 4, page 42

acknowledged by the Law Society Tribunal, which granted the initial anonymization order in January 2022.¹²

16. A registered social worker, Mr. Abdulai Bayraytay, provided an expert opinion supporting the continued anonymization. He found that disclosure of A.A.'s name would cause profound psychological harm, including anxiety, depression, stigma, and erosion of trust within the family. He specifically identified the eldest daughter as being most at risk.¹³ Dr. Paul Federoff, a psychiatrist, agreed with this assessment and described disclosure as “terrible” for the family.¹⁴ While the CAS declined to provide a written opinion, they advised that public disclosure may be harmful to the children.¹⁵

17. The Tribunal accepted this evidence as unchallenged and persuasive. It found that anonymization was necessary to shield the children from likely harm. The Appeal Division maintained the order without variation. The Divisional Court later confirmed there had been no material change in circumstances that would warrant lifting the protection.

Online Hostility and Threats

18. Since the release of the Law Society Tribunal's decision in July 2023, this case has attracted significant public commentary online, much of it hostile and threatening. A.A. affirms in his affidavit that he has personally reviewed social media posts and public reactions across

¹² Motion Record of AA, Tab 4, page 28

¹³ Motion Record of AA, Tab 8, page 64

¹⁴ Motion Record of AA, Tab 8, page 61

¹⁵ Motion Record of AA, Tab 8, page 61

multiple platforms. He attests that the tone of many of these comments has been disturbing, including explicit threats of violence and calls to publicly expose his identity, such as:

- a. “Won’t take long, there are some really good detectives on here! By this time tomorrow night I betcha someone will have named him.”
- b. “What’s his address? He ain’t practicing anything but he will have to learn how to walk again.”
- c. “In the perfect world, this mofo would be killed. Yes. Removed from this earth.”
- d. “Buddy should be lifeless in a cornfield right now.”¹⁶

19. These are not idle insults. They contain overt references to doxing, tracking, and vigilante violence. Several comments specifically reference the anonymization order and express frustration about the inability to identify A.A., with one user proposing monetary incentives for victims to come forward publicly.¹⁷ Others call for breaching the anonymization by connecting details from the decision to information available on the public registry.

20. This online environment elevates the psychological and reputational risk already facing the family and corroborates the need to maintain anonymization for their safety and dignity.

PART 3: ISSUES AND THE LAW

21. The issues on this motion are as follows:

¹⁶ Motion Record of AA, Tab 2, page 19 and [LSO motion record dated August 24, 2023](#)

¹⁷ Motion Record of AA, Tab 2, page 23

- a. Is there a presumptive continuity of the anonymization order granted by the Tribunals and affirmed by the Divisional Court, such that the Court of Appeal should maintain those protections in the absence of a material change in circumstances?
- b. Has the LSO waived or forfeited its right to challenge the anonymization order at the Court of Appeal stage, given its express position before the Tribunal Appeal Division that it would not seek to vary the order unless the matter were remitted for a new hearing?
- c. If the court deems it necessary to revisit the merits, should the anonymization order be continued under the *Sherman Estate* framework?

A. The Court Should Presume Continuity of the Anonymization Order Absent a Material Change

22. This appeal arises in the context of an anonymization order issued by the Law Society Tribunal in January 2022, continued by the Appeal Division, and upheld by the Divisional Court. At no stage did the LSO bring a motion to vary the order, and the Divisional Court expressly found no material change in circumstances justifying its reconsideration.
23. Where a protective order has already been granted by a specialized tribunal and affirmed through judicial review, continuity should be presumed. Courts must give effect to principles of institutional deference, procedural fairness, and finality, particularly when the order safeguards vulnerable individuals and remains unchallenged on the evidence.

24. Courts frequently continue tribunal-ordered anonymization without fresh analysis. In *Nahas v. HPARB*,¹⁸ and *Doe v. CPSO*,¹⁹ the Divisional Court expressly granted sealing and publication ban orders “co-extensive” with those made by the tribunal. In *Dr. R.A.R. v. CPSO*,²⁰ the publication ban imposed by the College’s Discipline Committee was adopted by both the Divisional Court and Court of Appeal without any motion by any party.
25. While the Divisional Court in *G.-L. v. OHIP*²¹ held that an anonymization order issued by a tribunal does not automatically bind a reviewing court and that a fresh motion must be brought, that approach is inconsistent with the Court of Appeal’s decision in *Dr. R.A.R.*,²² where the Tribunal’s publication ban was continued without any new motion. Notably, the *Dr. R.A.R.* decision was not brought to the Divisional Court’s attention in *G.-L.*
26. Even if a motion is required—which remains unsettled—the Court is not obliged to conduct a fresh application of the *Sherman* test. In *A.A.*²³ a full panel of the Divisional Court declined to reapply the *Sherman* test, upheld the Tribunal’s anonymization order without variation, and found no material change in circumstances to justify disturbing it.

¹⁸ *Nahas v. HPARB*, 2021 ONSC 6940 at paras 4 and 7 <https://canlii.ca/t/jjr1x>

¹⁹ *Doe v. CPSO*, 2021 ONSC 7550 at para 18 <https://canlii.ca/t/jkgwj>

²⁰ *Dr. R.A.R. v. CPSO*, 2006 CanLII 37118 (ON CA) <https://canlii.ca/t/1pxbq>

²¹ *G.-L. v. OHIP*, 2014 ONSC 5392 <https://canlii.ca/t/gdtz0>

²² *Dr. R.A.R. v. CPSO*, 2006 CanLII 37118 (ON CA) <https://canlii.ca/t/1pxbq>

²³ *Law Society of Ontario v. A.A.*, 2024 ONSC 5971 <https://canlii.ca/t/k7k06>; In *Law Society of Ontario v. A.A.*, 2024 ONSC 3102, a single judge (Davies J.) held that the Tribunal’s anonymization order did not apply in the Divisional Court and required A.A. to bring a fresh motion under the *Sherman Estate* framework. However, a few months later, in *Law Society of Ontario v. A.A.*, 2024 ONSC 5971, a full panel of the Divisional Court rejected this approach. The panel expressly declined to reapply the *Sherman* test, upheld the Tribunal’s anonymization order without variation, and found no material change in circumstances to justify disturbing it.

27. In *Dr. Q v. CPSBC*,²⁴ the Supreme Court preserved anonymization orders imposed by an administrative tribunal and affirmed that decisions regarding the publication of names in disciplinary proceedings are normally matters for the regulator's council.
28. The anonymization order in this case was issued after detailed submissions, upheld without challenge on appeal, and explicitly continued by the Divisional Court. The Tribunal was best placed to evaluate the risks and balance the competing interests.
29. Reopening the issue at this stage of the litigation proceedings undermines the Tribunal's authority and invite tactical appeals. If protective orders can be re-contested at every stage, they become unstable and ineffective—mere provisional shields subject to erosion with each step of the process. This not only jeopardizes the privacy and safety of those affected but also undermines public confidence in the integrity of tribunal proceedings.
30. Finally, the Divisional Court's express finding that there has been no material change in circumstances was made on the basis of a full evidentiary record, including fresh affidavits and cross-examination transcripts. In that context, the Court functioned in effect as a court of first instance in assessing whether continued anonymization remained justified. Its conclusion was not based on a purely legal or procedural assessment, but on a fact-driven evaluation of risk and impact. As such, the Court's determination constitutes a finding of fact to which this Court owes substantial deference absent palpable and overriding error.

B. The Law Society Ought to be Precluded from Challenging the Anonymization Order Due to Its Failure to Appeal and Strategic Conduct

²⁴ *Dr. Q v. CPSBC*, 2003 SCC 19 at para 46 <https://canlii.ca/t/1g513>

31. The LSO did not challenge the anonymization order issued by the Law Society Tribunal at the hearing on the merits or in its appeal to the Tribunal's Appeal Division. Despite having the opportunity to do so, the LSO chose not to include the anonymization order as a ground of appeal and brought no motion to vary or rescind it before the Tribunal.
32. When asked by A.A.'s counsel about its intentions, the LSO confirmed that it would not seek to vary the order unless the matter were remitted for a new hearing. In a written communication dated November 3, 2023, LSO counsel stated: "If we are successful on the appeal, the matter should be sent for a new hearing. If that happens, we may seek to vary Mr. Wardle's order." No such remittal occurred.
33. The LSO's position was not inadvertent. It should be viewed as a deliberate and strategic decision to accept the anonymization order for the purposes of the Tribunal appeal. Now, in its judicial review and appeal, the LSO seeks to reverse course and contest the very order it previously accepted as final and binding unless remitted.
34. The law is clear that parties are generally precluded from raising new challenges on judicial review or appeal that were not raised before the tribunal. In *Nahas v. HPARB*,²⁵ the Divisional Court emphasized "where a party has not raised an issue with the tribunal below, this court will seldom permit the party to raise the issue for the first time in this court."

²⁵ *Nahas v. Health Professions Appeal and Review Board*, 2021 ONSC 6940 at para. 5 <https://canlii.ca/t/jjr1x>

35. Similarly, in *C.S. v. British Columbia*,²⁶ the British Columbia Court of Appeal rejected an attempt to raise a Charter challenge on judicial review where the issue had not been raised before the tribunal. The court confirmed that the proper forum for challenging such an issue is the tribunal itself, consistent with the principle of adjudicative finality and procedural fairness.

36. This principle should apply with even greater force in this case, where the anonymization order was not a collateral issue—it was granted following a formal motion, supported by evidence, and resulted in a detailed ruling. The LSO had the opportunity to challenge that order before the Tribunal, and again on appeal to the Tribunal’s Appeal Division. It did not.

37. Parties are bound by their strategic choices. As the Saskatchewan Court of Appeal held in *Saskatchewan v. Racette*,²⁷ a party that elects not to pursue an issue cannot later resile from that position when it becomes convenient to do so. The Court held that tactical decisions made by experienced counsel must carry weight and that parties cannot reopen matters they have clearly chosen not to pursue.

38. Here, the LSO not only failed to appeal the anonymization order, it explicitly indicated that it would not do so unless the matter were remitted. That conditional stance was communicated in writing and relied upon by A.A. and his family. The LSO cannot now

²⁶ *C.S. v. British Columbia (Workers' Compensation Appeal Tribunal)*, 2019 BCCA 406 at para 56 <https://canlii.ca/t/j3f8v>

²⁷ *Saskatchewan v. Racette*, 2020 SKCA 2 at paras 33-37 <https://canlii.ca/t/j4fv2>

reframe the issue or seek to revisit an order that it accepted as final during the appeal process.

39. The LSO's attempt to relitigate the anonymization order on appeal should be rejected. The issue was fully adjudicated, not appealed before the Tribunal, and affirmatively waived unless remitted. The principles of finality, fairness, and respect for tribunal processes all support the conclusion that the LSO is precluded from challenging the order now.

C. No Reconsideration Is Warranted, but the *Sherman Estate* Criteria Are Met if Required

40. The questions of whether a motion is required, or whether this Court should reapply the *Sherman Estate* test where anonymization has already been granted by a tribunal, is unsettled law.

41. In *Dr. R.A.R.*,²⁸ this court continued a tribunal-imposed publication ban without any motion. In *A.A.*,²⁹ a full Divisional Court panel upheld the Tribunal's order without reconsidering the test, finding no material change.

42. If the Court decides that a motion is required and it elects to apply the *Sherman Estate* framework, the criteria are clearly met. The test requires: (1) a serious risk to an important public interest; (2) a finding that no reasonable alternative would prevent that risk; and (3) that the benefits of the order outweigh its effects on openness.

²⁸ *Dr. R.A.R. v. CPSO*, 2006 CanLII 37118 (ON CA) <https://canlii.ca/t/1pxbq>

²⁹ *Law Society of Ontario v. A.A.*, 2024 ONSC 5971 <https://canlii.ca/t/k7k06>

Serious Risk to an Important Public Interest

43. This case presents a well-documented and judicially confirmed risk to the psychological well-being and dignity of A.A.'s children, one of whom was a victim of his past misconduct and three of whom are undergoing treatment for anxiety. The Tribunal accepted that disclosure of A.A.'s identity would likely cause them serious harm. The Divisional Court confirmed that conclusion and found no material change. Both parents agree that disclosure would be harmful.
44. Expert evidence supports that disclosure would result in stigma, anxiety, and social isolation. These concerns were echoed by the expert psychiatrist and CAS. The record includes peer-reviewed literature and media reports confirming long-term harm to children publicly associated with a parent's misconduct.
45. Courts have recognized that even indirect identification of children through a parent's name can justify anonymization. In *J.N. v. Canada*,³⁰ the Federal Court anonymized a parent's identity to prevent harm to her children, holding that publicity about the parent's actions could negatively affect their "mental, physical and emotional health". Similarly, in *K.S.P. v. J.T.P.*,³¹ the court granted an anonymization order to protect children from being identified through their parents, given the anticipated discussion of family violence, mental health issues, and involvement of child protection services. In *C.D. v. Provincial Health Services Authority*,³² the court ordered anonymization of parents' names to prevent indirect

³⁰ *J.N. v. Canada (Citizenship and Immigration)*, 2021 FC 1231 at paras 16, 18-19 <https://canlii.ca/t/jkw2r>

³¹ *K.S.P. v. J.T.P.*, 2022 BCSC 1508 at paras 36-39 <https://canlii.ca/t/jrnln>

³² *C.D. v. Provincial Health Services Authority*, 2019 BCSC 603 at para 11 <https://canlii.ca/t/hzvgh>

identification of children. These decisions support the proposition that anonymization of a parent is a justified and proportionate measure where it is necessary to protect vulnerable children from stigma, harm, or unwanted public exposure.

46. *R.R. v. Newfoundland*³³ and *Metroland Media*³⁴ confirm that courts may rely on reason and logic to find a serious risk to children's well-being.

47. In *Kirby v. Woods*,³⁵ the Court of Appeal granted anonymization and non-publication orders even where no such order had been made at first instance, recognizing that children's privacy is a distinct and important public interest. The Court emphasized that anonymization was minimally impairing and necessary to prevent serious psychological harm and indirect identification through association with a parent.

48. The judicial reasoning supports the continued anonymization in this case, where the Tribunal, Appeal Division, and Divisional Court have already found that A.A.'s children would suffer concrete harm if exposed through disclosure of his identity.

49. That risk is compounded by online threats and commentary. Since the Tribunal's ruling, public reaction has included calls to dox A.A., threats of violence, and efforts to circumvent the publication ban. These threats have real-world implications for A.A.'s family. Courts have held that online hostility can elevate the seriousness of the risk.³⁶ The court has

³³ *R.R. v. Newfoundland*, 2022 NLSC 44 at para 19 <https://canlii.ca/t/jncn7>

³⁴ *Metroland Media*, 2020 ONSC 5227 at para 43 <https://canlii.ca/t/j9h1c>

³⁵ *Kirby v. Woods*, 2025 ONCA 437 <https://canlii.ca/t/kcndn>

³⁶ *C.D. v Provincial Health Services Authority*, 2019 BCSC 603 at para 30, <https://canlii.ca/t/hzvgh>;

previously found that the threat “you’re 74 years old, who knows how many years you have...” was sufficient to justify a publication ban.³⁷

Necessity: No Reasonable Alternative

50. No lesser measure can prevent the risk. The children’s identities would be readily discoverable if A.A.’s name is published, particularly given the family’s community context. Redacting their names or facts in the decision is ineffective; the name itself is the risk.

51. This is not a case where redaction or summary reasoning would suffice. Courts have confirmed that where the risk flows from the disclosure of identity alone, anonymization is necessary.³⁸

52. In *LSO v. XY*,³⁹ the Tribunal granted an anonymization order for the publicly available reasons. The Tribunal reasoned that anonymizing the reasons still enabled the public and profession to “understand the details of the how and why of what happened,” and that public confidence would not be compromised because the substance of the findings remained available.

53. This structure—publicly available reasons, with anonymization limited to identity—was held to be minimally impairing to openness and justified by the risk of psychological harm. A.A.’s case follows the same structure, but goes even further in serving the public interest:

³⁷ *B.K. v YRSCC* no. [...], 2019 ONSC 3837, at para 14 <https://canlii.ca/t/j19ml>

³⁸ *A.Z. v. Office of the Independent Police Review Director*, 2023 ONSC 478, <https://canlii.ca/t/jv02t> and *A.B. v C.D.*, 2022 BCSC 2145, <https://canlii.ca/t/jtjr9>

³⁹ *Law Society of Ontario v. XY*, 2024 ONLSTH 9, at para 34 <https://canlii.ca/t/k2gb8>

the condition imposed on A.A.’s licence will be published in the Law Society’s public directory. Prospective clients and members of the public can directly access any restriction on A.A.’s practice. Thus, even more than in *XY*, the anonymization order here protects vulnerable children without impairing public understanding of the Tribunal’s reasoning.

Proportionality: Benefits Outweigh the Impact on Openness

54. Courts have repeatedly held that anonymization minimally impairs the open court principle. In *A.Z.*,⁴⁰ the Divisional Court called identity a “sliver of information.” In *B.G. v. British Columbia*,⁴¹ the B.C. Court of Appeal found that anonymization had no meaningful effect on public transparency and expressly cited and approved the analysis in D.L. Corbett and B. Edwards, “Keep My Name Out of This: Anonymity Orders in Civil Proceedings”. The Court relied on the authors’ commentary in assessing the scope and justification of anonymity orders in civil cases involving sensitive allegations. The Court adopted their view that open justice may be limited to protect privacy, dignity, and access to justice for vulnerable parties, especially where anonymity preserves the ability to pursue or participate meaningfully in litigation.⁴²

55. The benefits here are significant. Continued anonymization will protect the children from trauma, stigma, and the long-term consequences of public exposure. It will prevent the public from linking this proceeding to a vulnerable family whose privacy has been actively

⁴⁰ *A.Z. v. Office of the Independent Police Review Director*, 2023 ONSC 478 at para 25 <https://canlii.ca/t/jv02t>

⁴¹ *B.G. et al v. H.M.T.Q. in Right of B.C.*, 2004 BCCA 345, at para 26 <https://canlii.ca/t/1hbvw>

⁴² [David L. Corbett & Bryce Edwards, Keep My Name Out of This: Anonymity Orders in Civil Proceedings, Ontario Bar Association](#)

protected—not only through years of careful adjudication, but also through deliberate and sustained efforts by the Children’s Aid Society⁴³ and the children’s mother. Both have gone to extraordinary lengths to preserve the children’s psychological well-being and shield them from knowledge of, and association with, these proceedings.

56. Even the Law Society has accepted that the children’s identities must be protected. Publishing A.A.’s name would undermine that protection entirely. This confirms that continued anonymization is not only proportional—it is the only consistent and coherent result.

PART 4: ORDER REQUESTED

57. The Respondent requests an order that:

- a. The anonymization and publication ban originally granted by the Law Society Tribunal and continued by the Divisional Court be maintained in these proceedings;
- b. The name of the Respondent, A.A., as well as any information that would tend to identify his children or former spouse, remain anonymized in all materials and reasons issued by this Court;
- c. Costs for this motion.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 8th DAY OF JULY 2025:

James Melnick

⁴³ Motion Record of AA, Tab 8, page 60

Schedule A

1. *A.B. v C.D.*, 2022 BCSC 2145, <https://canlii.ca/t/jtjr9>
2. *A.Z. v. Office of the Independent Police Review Director*, 2023 ONSC 478, <https://canlii.ca/t/jv02t>
3. *AA v. Law Society of Ontario*, 2022 ONLSTH 9, <https://canlii.ca/t/jlw3z>
4. *AA v. Law Society of Ontario*, 2023 ONLSTH 99, <https://canlii.ca/t/jzdc2>
5. *AA v. Law Society of Ontario*, 2024 ONLSTA 6, <https://canlii.ca/t/k3hdm>
6. *B.G. et al v. H.M.T.Q. in Right of B.C.*, 2004 BCCA 345, <https://canlii.ca/t/1hbvw>
7. *B.K. v YRSCC* no. [...], 2019 ONSC 3837, <https://canlii.ca/t/j19ml>
8. *C.D. v Provincial Health Services Authority*, 2019 BCSC 603, <https://canlii.ca/t/hzvgh>;
9. *C.S. v. British Columbia (Workers' Compensation Appeal Tribunal)*, 2019 BCCA 406 <https://canlii.ca/t/j3f8v>
10. *Doe v. CPSO*, 2021 ONSC 7550 <https://canlii.ca/t/jkgwj>
11. *Dr. Q v. CPSBC*, 2003 SCC 19 <https://canlii.ca/t/1g5l3>
12. *Dr. R.A.R. v. CPSO*, 2006 CanLII 37118 (ON CA) <https://canlii.ca/t/1pxbq>
13. *Dr. R.A.R. v. CPSO*, 2006 CanLII 37118 (ON CA) <https://canlii.ca/t/1pxbq>
14. *G.-L. v. OHIP*, 2014 ONSC 5392 <https://canlii.ca/t/gdtz0>
15. *J.N. v. Canada (Citizenship and Immigration)*, 2021 FC 1231 <https://canlii.ca/t/jkw2r>
16. *K.S.P. v. J.T.P.*, 2022 BCSC 1508 <https://canlii.ca/t/jrnlm>
17. *Kirby v. Woods*, 2025 ONCA 437 <https://canlii.ca/t/kcndn>
18. *Law Society of Ontario v. A.A.*, 2024 ONSC 5971 <https://canlii.ca/t/k7k06>
19. *Law Society of Ontario v. XY*, 2024 ONLSTH 9, <https://canlii.ca/t/k2gb8>
20. *Metroland Media*, 2020 ONSC 5227 <https://canlii.ca/t/j9h1c>
21. *Nahas v. Health Professions Appeal and Review Board*, 2021 ONSC 6940 <https://canlii.ca/t/jjr1x>

22. *Nahas v. HPARB*, 2021 ONSC 6940 <https://canlii.ca/t/jjr1x>
23. *R.R. v. Newfoundland*, 2022 NLSC 44 <https://canlii.ca/t/jncn7>
24. *Saskatchewan v. Racette*, 2020 SKCA 2 <https://canlii.ca/t/j4fv2>

Schedule B

[David L. Corbett & Bryce Edwards, Keep My Name Out of This: Anonymity Orders in Civil Proceedings, Ontario Bar Association](#)

LAW SOCIETY OF ONTARIO

Appellant

-and- **AA**

Respondent

File No.: COA-25-CV-0462

COURT OF APPEAL FOR ONTARIO

FACTUM OF AA

James Melnick
27 Pinegrove Cr.
London, ON N6J 3Y8
519-902-0907
james@jamesmelnick.ca

Counsel for the Respondent