

COURT FILE No.: CV-20-00653410-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

**ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON
INVESTMENTS MASTER FUND LP AND MOEZ KASSAM**

Plaintiffs

- and -

**JAMES STAFFORD, ANDREW RUDENSKY, ROBERT LEE DOXTATOR,
JACOB DOXTATOR AND JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN
DOE 4 AND OTHER PERSONS UNKNOWN**

Defendants

AMENDED STATEMENT OF DEFENCE OF JACOB DOXTATOR

- 1) The Defendant, Jacob Doxtator (“Jacob”), is 21~~0~~ years old. He resides in the Province of Ontario. Until recently he worked at a winery in Prince Edward County as a labourer.
- 2) Except as expressly admitted herein, Jacob either denies or has no knowledge of the allegations in the Fresh as Amended Statement of Claim. The Plaintiffs are put to the strict proof of the allegations in their pleading. The Plaintiffs and their lawyers knew or were reckless in not investigating and knowing of the matters pleaded herein.

- 3) Jacob pleads and relies on s.137.1 of the *Courts of Justice Act*. He reserves his right to bring a motion under s.137.1(3) at any time in this proceeding. This claim is frivolous, vexatious and an abuse of the process of this Honourable Court. The Plaintiffs knew or ought to have known that when they issued their claim. This proceeding is intended to discourage individuals from expressing themselves on matters of public interest related to the Plaintiffs; it will prevent participation in debates on matters of public interest and it is a clear and dangerous misuse of litigation process in Ontario, contrary to the public interest. The Plaintiffs are attempting to make an example out of Jacob even though he has not engaged in any of the wrongdoing alleged or speculated about by the Plaintiffs.
- 4) There is no agreement, scheme or conspiracy between Jacob and anyone else as described throughout the Fresh as Amended Statement of Claim related to the matters pleaded. Jacob has not engaged in any of the unlawful, tortious or inappropriate behaviour alleged against him, including, but not limited to, tortious conspiracy, placing Anson or Kassam in a false light, intentional interference with Anson's economic relations, appropriation of Kassam's personality, internet harassment of the Plaintiffs, or defamation.
- 5) Jacob is not John Murphy. He does not know John Murphy and he has no knowledge, information or belief as to who owns and operates a Twitter account under the user name @JohnMur67039142. Jacob did not have any involvement in the tweets made under the user name @JohnMur67039142.
- 6) Jacob does not know who the Unknown Defendants are ~~John Doe~~ is. He has no knowledge, information or belief as to who those persons described in the Fresh as Amended Statement of Claim are. Jacob is Robert Doxtator's ("Robert")

- cousin but he has not conspired, agreed or participated in any agreement or conspiracy with Robert or any of the other Defendants. Most of his discussions with Robert are about family or hunting.
- 7) Jacob does not trade in securities. Jacob is not savvy about capital markets and did not deliberately fabricate allegations about the Plaintiffs to sabotage their business. He never had any knowledge of the Plaintiffs prior to this litigation. Jacob has never posted any information about the Plaintiffs on the internet or otherwise. Jacob had no prior knowledge of any of the allegedly unlawful postings that are referred to in the Fresh as Amended Statement of Claim. Jacob does not know who did post them.
- 8) Jacob does not know if any of the Plaintiffs have a reputation in the community that is capable of being damaged as alleged in the Statement of Claim. He denies the Plaintiffs have suffered any damage as alleged. If they have, their own actions are the cause of that damage.
- 9) Until served with this claim (in an unlawful manner), Jacob had never seen any of the postings alleged in the Fresh as Amended Statement of Claim. He had no knowledge that the websites called Stockhouse, Hindenburg Research or the other sites referred to in ~~listed in paragraphs 98 of the~~ Fresh as Amended Statement of Claim even existed.
- 10) Jacob had nothing to do with any communications with the regulators as alleged in paragraph ~~164~~ 64 of the Fresh as Amended Statement of Claim. Any ongoing inquiry, review or investigation into one or more of the Plaintiffs by one or more of the regulators is not within Jacob's knowledge but is within the knowledge of the Plaintiffs and should be disclosed.

- 11) Contrary to the allegations in paragraph 65 of the Fresh as Amended Statement of Claim, Jacob did not write or contribute to the Defamatory Manifesto.
- 12) Contrary to the allegations in paragraph 90 of the Fresh as Amended Statement of Claim, Jacob did not tweet the first link to the Defamatory Manifesto on www.MoezKassam.com.
- 13) Contrary to the allegations in paragraph 108 of the Fresh as Amended Statement of Claim, Jacob did not publish the Second Defamatory Manifesto.
- 14) Jacob asks that the action be dismissed with substantial indemnity costs and costs as provided for in s.137.1 of the *Courts of Justice Act*.

January 21, 2021

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Proceeding started in Toronto**

AMENDED STATEMENT OF DEFENCE

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