

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

B E T W E E N:

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

Plaintiffs

and

ROBERT LEE DOXTATOR, JACOB DOXTATOR, JOHN DOE 1, JOHN  
DOE 2, JOHN DOE 3, JOHN DOE 4 and PERSONS UNKNOWN

Defendants

A N D B E T W E E N:

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

and

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and ALLEN  
SPEKTOR

Defendants to the Counterclaim

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**MOTION RECORD OF THE PLAINTIFFS  
(Motion for Leave to Amend the Statement of Claim)**

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January 18, 2022

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AND TO: **ALLEN SPEKTOR**

Defendant to the Counterclaim

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Court File No. CV-20-00653410-00CL

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SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**B E T W E E N:**

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
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SPEKTOR

Defendants to the Counterclaim

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**TAB 1**

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

B E T W E E N:

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

Plaintiffs

and

ROBERT LEE DOXTATOR, JACOB DOXTATOR, JOHN DOE 1, JOHN  
DOE 2, JOHN DOE 3, JOHN DOE 4 and PERSONS UNKNOWN

Defendants

A N D B E T W E E N:

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

and

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and ALLEN  
SPEKTOR

Defendants to the Counterclaim

**NOTICE OF MOTION OF THE PLAINTIFFS  
(LEAVE TO AMEND)**

The Plaintiffs (Defendants to the Counterclaim), Anson Advisors Inc., Anson Funds Management LP, Anson Investments Master Fund LP (collectively, "**Anson**") and Moez Kassam, will make a motion to a Judge presiding over the Commercial List on ~~a date to~~ <sup>January 7<sup>th</sup> 2022</sup> ~~be determined~~ at 10:00 a.m., or as soon after that time as the motion can be heard, by videoconference.

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**PROPOSED METHOD OF HEARING:** The motion is to be heard

- ☐ In writing under subrule 37.12.1(1);
- ☐ In writing as an opposed motion under subrule 37.12.1(4);
- ☐ In person;
- ☐ By telephone conference;
- ☒ By video conference.

**THE MOTION IS FOR**

- (a) an Order granting the Plaintiffs leave to amend the Statement of Claim in the form attached as **Schedule “A”** hereto (the “**Amended Claim**”);
- (b) an Order adding James Stafford (“**Stafford**”) as a Defendant to this action;
- (c) an Order adding Andrew Rudensky (“**Rudensky**”) as a Defendant to this action;
- (d) an Order permitting substituted service of the Amended Claim on Stafford by email at admin@oilprice.com or james@floatingmix.com;
- (e) an Order permitting the Plaintiffs to serve all materials filed by the Plaintiffs in connection with this action on Stafford via email at admin@oilprice.com or james@floatingmix.com;

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- (f) the costs of this motion as against any party that opposes the relief sought;  
and
- (g) such further and other Relief as to this Honourable Court may seem just.

## THE GROUNDS FOR THE MOTION ARE

### A. Background

- (a) The Plaintiffs began this action by way of the Statement of Claim issued December 18, 2020 (the “**Claim**”).
- (b) The Plaintiffs Anson and Kassam are, respectively, a successful securities business and its founder. As set out in the Claim, the Plaintiffs are the targets of a sophisticated and coordinated conspiracy to damage their business and reputations (the “**Conspiracy**”). In the Claim, the Defendants Robert Doxtator (“**Robert**”) and Jacob Doxtator, and other individuals whose identities are not known to the Plaintiffs, are alleged to have maliciously published and broadly disseminated false, defamatory, abusive and harassing material about the Plaintiffs (the “**Unlawful Statements**”) in many forums, including on the Internet and through social media.
- (c) In the Claim, the Plaintiffs sought general damages against the Defendants of \$100 million, plus aggravated and punitive damages. The Plaintiffs relied on the causes of action of conspiracy, false light, intentional interference with economic relations, appropriation of personality, and defamation.

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- (d) The Claim named two defendants, Robert and Jacob Doxtator, as well as other unknown “John Doe” Defendants. The Claim pleaded that the unknown Defendants were individuals whose identities were not known to the Plaintiffs but who had the means and business motivations to cause harm to the Plaintiffs. The Plaintiffs also pleaded that they would seek to amend the Claim to substitute the actual names of the unknown Defendants when they were discovered and incorporate additional material facts or information regarding the Conspiracy that subsequently came to light.

**B. Amendments to Claim**

- (e) The amendments to the Claim sought by the Plaintiffs are mandatory under Rule 26 of the *Rules of Civil Procedure*, as they will not result in non-compensable prejudice — or any prejudice — to any existing Defendant or to Stafford or Rudensky.
- (f) This action has not yet moved past the pleadings stage, no discovery plan has been formed, and no documentary or oral discovery has occurred.
- (g) The requested amendments are legally tenable and comply with the rules of pleading.
- (h) The Plaintiffs seek leave to amend the Claim in order to:
  - (i) add Stafford and Rudensky as Defendants to this action;

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- (ii) plead new material facts regarding the nature and scope of the Conspiracy to disseminate Unlawful Statements about the Plaintiffs, including material facts regarding Stafford and Rudensky's involvement in the Conspiracy, and include in their Amended Claim additional Unlawful Statements published since the Claim was issued; and
- (iii) add the cause of action of internet harassment, which was recognized by this Court after the Claim was issued.

***Stafford and Rudensky are necessary and proper parties to this action***

- (i) As set out in the Amended Claim, the Plaintiffs have discovered that Stafford was a leader of and/or significant participant in the Conspiracy to disseminate Unlawful Statements about the Plaintiffs, and that Rudensky had significant involvement in the Conspiracy. Among other things, the Plaintiffs seek to amend the Claim to plead that:
  - (i) Stafford led the effort to draft and publish the Defamatory Manifesto (as defined in both the Claim and the Amended Claim) – a lengthy internet post replete with false and defamatory allegations about the Plaintiffs, first published on or around September 27, 2020;
  - (ii) Stafford, Rudensky and/or Robert met or spoke on at least four occasions to plan, coordinate and/or draft the Defamatory Manifesto, at meetings that were transcribed. At those meetings, Rudensky and

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Robert provided Stafford with false and defamatory allegations against the Plaintiffs that were used to draft the Defamatory Manifesto;

(iii) Stafford and the other Defendants compiled a spreadsheet containing the names and email addresses of 2,854 journalists, news editors, and others in the business community to whom they planned to disseminate the Defamatory Manifesto; and

(iv) Between November 2020 and March 2021, Stafford also personally published Unlawful Statements about the Plaintiffs on the website Stockhouse using the username “ToffRaffles”, a Stockhouse account registered to james@floatingmix.com, which is an email address Stafford owns and uses (the “**Stafford Unlawful Stockhouse Statements**”). Stockhouse provides market news and analysis regarding companies with small market capitalizations and message boards for users to discuss securities issuers.

(j) The Amended Claim pleads that Stafford purports to be a “journalist” but he is, in fact, a stock promoter. He is paid millions of dollars to write sensationalist articles about publicly traded companies. By publishing such articles, he seeks to artificially inflate the price and/or volume of the shares of the company in question. Stafford’s participation in the Conspiracy is motivated by an animus directed at the Plaintiffs because one of the



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Plaintiffs' investment strategies involves scrutinizing overvalued companies, including, in the past, overvalued companies which Stafford promoted and/or invested in.

- (k) The Amended Claim pleads that Rudensky's participation in the Conspiracy is motivated by an animus against Anson and Kassam tracing back to at least December 2018, when an independent forensic financial research firm (unrelated to the Plaintiffs) posted critical findings about Aphria Inc., causing its stock price to fall. The critical research findings related to Andy DeFrancesco, a key promoter (and founder) of Aphria who is the CEO of The Delavaco Group, where Rudensky is a partner. Rudensky wrongfully blamed the Plaintiffs for the critical research findings regarding Aphria.
- (l) The Amended Claim pleads that Stafford and Rudensky concealed their involvement in their Conspiracy from the Plaintiffs and the public.
- (m) Stafford and Rudensky are necessary and proper parties to this action.

***New Material Facts***

- (n) The Plaintiffs have uncovered additional material facts regarding the planning and execution of the Conspiracy (the "**Additional Material Facts**"), as set out in the Amended Claim and described above.

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- (o) The Plaintiffs also seek to amend the Claim to plead that additional Unlawful Statements have been published about the Plaintiffs, including the following:
- (i) beginning in fall 2020 through spring 2021 and beyond, the Defendants published Unlawful Statements in over 1,000 posts on the website Stockhouse (the “**Further Unlawful Stockhouse Statements**”). The Defendants took sophisticated steps to conceal their identities and obscure the origin of the Further Unlawful Stockhouse Statements;
  - (ii) on June 28, 2021, the Defendants published a sequel to the Defamatory Manifesto on the website [www.marketfrauds.to](http://www.marketfrauds.to), titled “Moez Kassam & Anson Funds Part II: Rotten to the Core” (the “**Second Defamatory Manifesto**”) (which remains available on the internet and in fact shows up on the first page of Google’s search results for Anson);
  - (iii) the Defendants published several other false and defamatory posts about the Plaintiffs on [www.marketfrauds.to](http://www.marketfrauds.to) in addition to the Second Defamatory Manifesto (the “**Additional Unlawful Posts**”);
  - (iv) as set out above, Stafford published the Stafford Unlawful Stockhouse Statements between November 2020 and March 2021; and

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- (v) Unlawful Statements have also been publicized on other websites and online message boards, including Reddit.
- (p) The Further Unlawful Stockhouse Statements, the Second Defamatory Manifesto, the Additional Unlawful Posts, the Stafford Unlawful Stockhouse Statements and the Additional Material Facts are relevant and material to the Plaintiffs' claims against the Defendants.

***Tort of Internet Harassment***

- (q) The Plaintiffs seek to amend their claim to add the tort of internet harassment. The Defendants are liable for this cause of action by writing, publishing, disseminating and publicizing all of the Unlawful Statements.
- (r) The tort of internet harassment had not been recognized in Ontario at the time the Claim was issued.
- (s) The facts underlying the tort of internet harassment are the same facts underlying the other causes of action in the Amended Claim.

***No Consent to Amendments***

- (t) The Defendants have not consented to the amendments set out in the Amended Claim, rendering this Motion necessary.
- (u) Given the scope and complexity of the amendments, the Plaintiffs propose to file the Amended Claim as a Fresh as Amended Statement of Claim.

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***The Plaintiffs discovered Stafford's involvement in the Conspiracy based on its own diligence and not through any misuse of confidential information by its former counsel***

- (a) At the time the Plaintiffs issued the initial Claim (naming Robert and Jacob Doxtator but not Stafford or Rudensky), it was represented by Michael Barrack, Iris Fischer, Christopher DiMatteo, and Kaley Pulfer of the Blake, Cassels & Graydon LLP ("**Blakes**") law firm in Toronto;
- (b) After the initial Claim was issued, the Plaintiffs continued to investigate the Conspiracy, including by obtaining a Norwich Order against the Stockhouse website, by retaining their own independent investigator, and by researching public sources;
- (c) Through the course of those investigations, the Plaintiffs uncovered Stafford's involvement in the Conspiracy, as set out above and as pleaded in the Amended Claim;
- (d) The Amended Claim, including all of the claims and allegations against Stafford, was drafted based on the investigations undertaken by and information discovered by the Plaintiffs;
- (e) None of the information pleaded in the Amended Claim was provided to the Plaintiffs by the Blakes firm;
- (f) In early October 2021, the Plaintiffs' counsel at Blakes circulated a draft of the Amended Claim to the responding parties, including to Stafford and

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Rudensky, and requested that they consent to the amendments (so that all parties could avoid the costs of this motion);

- (g) Special counsel appointed by Stafford for the purposes of the proposed Amended Claim took the position that Blakes had a conflict because other lawyers at the Blakes firm represented Stafford on another matter;
- (h) The Plaintiffs promptly retained new lawyers at the Davies Ward Phillips & Vineberg LLP ("**Davies**") law firm to replace Blakes so as to immediately resolve the alleged conflict;
- (i) The alleged conflict is moot given that the Plaintiffs have retained new counsel;
- (j) Stafford has not suffered any prejudice from this issue whatsoever, whereas the Plaintiffs will be seriously prejudiced if they are not able to amend their claim to add Stafford – one of the key participants in the Conspiracy;

***Service of motion materials and amended claim on Stafford***

- (v) Despite extensive efforts to identify Stafford's residential address, the Plaintiffs do not know Stafford's address or where he resides. Stafford appears to have connections to numerous jurisdictions and it is unknown to the Plaintiffs whether Stafford's residential address is in Mexico, England, the Bahamas, or elsewhere.

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- (w) The Plaintiffs have reason to believe that Stafford uses the email addresses admin@oilprice.com and/or james@floatingmix.com and that service at these email addresses is likely to come to Stafford's attention.
- (x) Stafford is aware of the Amended Claim after it was sent by email to admin@oilprice.com and james@floatingmix.com, as is demonstrated by his having retained special counsel to represent him in respect of the proposed Amended Claim;
- (y) It is in the interests of justice to grant the relief sought by the Plaintiffs. The Plaintiffs seek to prosecute their claims against Stafford on an efficient and expedited basis, which cannot occur until the issue of service is resolved.
- (z) Rules 1.04(1), 2.03, 3.02, 5.03, 16.01, 16.02, 16.03, 16.04, 16.08, 26.01, 26.02, 26.03, 26.04, 37, 39, 57.01 and 57.03 of the *Rules of Civil Procedure*, as amended; and
- (aa) Such further and other grounds as the lawyers may advise.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the Motion:

- (a) the Amended Claim (as set out in **Schedule "A"** hereto);
- (b) the Affidavit of Sunny Puri, to be affirmed; and

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(c) such further and other evidence as the lawyers may advise and this Honourable Court may permit.

November 23, 2021

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Defendant to the Counterclaim

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AND TO: **ANDREW RUDENSKY**

Responding Party



Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

B E T W E E N:

(Court Seal)

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

**FRESH AS AMENDED STATEMENT OF CLAIM**

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the *Rules of Civil Procedure*, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the *Rules of Civil Procedure*. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date \_\_\_\_\_ Issued by \_\_\_\_\_  
Local Registrar

Address of Superior Court of Justice  
court office: 330 University Avenue, 9th Floor  
Toronto ON M5G 1R7

TO: Robert Lee Doxtator  
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James Stafford  
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Andrew Rudensky  
1107 Melvin Ave  
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## CLAIM

1. The Plaintiffs, Anson Advisors Inc. (“**AAI**”), Anson Funds Management LP (“**AFM**”), Anson Investments Master Fund LP (“**AIMF**” and, together with AAI and AFM, “**Anson**”) and Moez Kassam (“**Kassam**”), claim against the Defendants, James Stafford, Andrew Rudensky, Robert Lee Doxtator, Jacob Doxtator, John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the “**Defendants**”), jointly and severally, for:

- (a) general damages in the amount of \$100,000,000 for conspiracy, publicity that places the plaintiffs in a false light, intentional interference with economic relations, appropriation of personality, internet harassment, and defamation;
- (b) aggravated damages of \$1,000,000;
- (c) punitive or exemplary damages of \$10,000,000;
- (d) special damages to be proven at trial;
- (e) fees and costs incurred by the Plaintiffs in investigating the persons involved in the Conspiracy (as defined below), and removing the Unlawful Statements (as defined below), in amounts to be proven at trial;
- (f) a mandatory order compelling the Defendants to remove the publications complained of in this action from all Internet websites, online message boards and social media platforms within their control;
- (g) an interim, interlocutory and permanent injunction restraining the Defendants or anyone with notice of the order from republishing the

publications complained of in this action or the Unlawful Statements (as defined below), or publishing further unlawful and defamatory statements about Anson and its current and past personnel;

- (h) pre-judgment interest in accordance with section 128 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (i) post-judgment interest in accordance with section 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (j) the costs of this proceeding on the highest allowable basis, plus all applicable taxes; and
- (k) such further and other relief as to this Honourable Court may seem just.

2. Since at least the summer of 2019 and intensifying to the present, the Defendants James Stafford, Andrew Rudensky, Robert Lee Doxtator and Jacob Doxtator have engaged in a scheme with each other and other unknown persons to damage the business and reputations of a successful securities business, Anson, and its founder, Moez Kassam. Specifically, the Defendants conspired to falsely and repeatedly claim that Kassam is a criminal and that he and his businesses are engaged in conduct that is illegal, unethical, and contrary to Canadian and United States securities regulations. The Defendants have, for example, published or encouraged the publication of the following false and defamatory statements:

- (a) “Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions”;
- (b) “Anson Funds and Moez Kassam have been destroying companies through illegal means...”;
- (c) Kassam is a “corrupted and criminal CIO [Chief Investment Officer] at Anson funds”;
- (d) “If you r [sic] an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot information floating out there that paints a picture of scams to benefit none other then Moez Kassam”;
- (e) “In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends”;
- (f) Kassam pursued “questionable and illegal activities” in “an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way: even those who helped him and ended up being disposable”;
- (g) “Moez Kassam & Sunny Puri of Anson . . . put out the report to manipulate the market so they could cover an already short position”;

- (h) “... dirty moez [sic] hurt his business parnter [sic] and lied to the founders of \$apha [Aphria Inc.]”;
- (i) Kassam and Anson “just use people and don’t pay anyone but themselves”;
- (j) “Moez has even threatened all Anson employees with lawsuits and installed draconian measures in the office to stop leaks from employees. The fear level is rising—fast. At this point, it is becoming clearer that employees will either sink with this ship or be fired, and now the latter is starting to look more attractive than the former”; and
- (k) the OSC and SEC have “[begun] a full investigation into Anson Funds business practices (according to sources inside Anson)”.

3. Statements accusing the Plaintiffs of illegal and unethical conduct, including market manipulation, fraud, insider trading, breaches of applicable securities law and regulations, and cyber crimes, are false and defamatory. This lawsuit seeks to hold the Defendants accountable for the economic, reputational, and emotional harm their lies have caused.

#### **A. THE PLAINTIFFS**

4. AAI is a corporation incorporated under the laws of Ontario. It is a private asset management firm that serves as the co-investment adviser, exempt market dealer, and portfolio manager to several investment funds in which private investors may invest their capital (collectively, the “**Anson Funds**”). It is regulated by the United States Securities



and Exchange Commission (“**SEC**”) and the Ontario Securities Commission (“**OSC**”), among other regulatory bodies.

5. AFM is a Texas limited partnership that serves as the investment fund manager for the Anson Funds. It is regulated by the SEC and the OSC.

6. AIMF is a Cayman Islands exempted limited partnership. It is Anson Funds’ flagship investment fund. The Anson investments that are the subject of the Unlawful Statements (as defined below) were undertaken by AIMF.

7. Anson uses multiple strategies to execute its investment program, including both long and short investment strategies and opportunistic investments. One subset of Anson’s short investment strategies includes short selling securities that have been overvalued by the public markets. One way in which securities can become overvalued is through fraudulent “pump and dump” schemes. In a pump and dump scheme, the perpetrators attempt to inflate the value of a stock that they own by making and/or publicizing false or misleading positive statements about the company whose stock is being traded, and then enrich themselves at the cost of other shareholders, including but not limited to by way of selling stock, paying inflated salaries, or paying parties related to the perpetrators inflated amounts without proper disclosure.

8. Short selling is a legitimate investment strategy that involves borrowing shares from a dealer and selling them in anticipation that the share price will decline. The borrower must later repurchase the shares in order to return them to the lender. If the share price has fallen by the time the borrower repurchases the shares for return, the borrower will earn a profit. By contrast, if the shares increase in value while the borrower

holds a short position, the borrower will be required to repurchase the shares at the increased price, causing a loss.

9. Short selling, as a trading activity, is subject to a well-developed regulatory regime in Canada.

10. Anson conducts and reviews research and due diligence on the market and relevant companies to inform its trades, all based on publicly available information. When Anson determines that the stock of a public company may be overvalued and/or conducts short sales, its scrutiny may threaten individuals who perpetrate pump-and-dump and other fraudulent securities schemes, or who otherwise benefit from inflated securities. Anson complies with all applicable investment rules and regulations in all trading transactions it undertakes.

11. A “naked” short sale is a colloquial term that is generally understood to refer to when an investor sells shares in anticipation that their price will decline without first having a reasonable belief that it can borrow the shares that it sold. Anson does not engage in naked short selling, and as described above complies with all applicable investment rules and regulations.

12. The capital markets rely on the free flow of public information about publicly traded companies. Further, publication of analyses of public companies is a routine feature of the capital markets, including where the entity publishing the analysis has made an investment (either short or long) in the securities of the company in question. In the ordinary course of its business, Anson from time to time discusses its research and investment analyses and theses with others in the industry. This is done to conduct

research, stress test due diligence and investment theories, learn potentially variant points of view and solicit other independent analyses. To the extent analyses that are published by others align with Anson's – or other investment funds' – views, this is simply the result of various individuals involved in the capital markets independently reaching the same conclusions based on the same publicly available information.

13. Moez Kassam is a founder of Anson, and a director and the principal, Chief Executive Officer and Chief Investment Officer of AAI. Kassam is 41 years old. He founded Saunders Capital Master Fund LP, the predecessor to AIMF, in July 2007 at the age of 26, and has since built Anson into a billion-dollar investment firm. In 2018, Kassam was named to Canada's Top 40 Under 40 for extraordinary achievement in business and philanthropy. He is an executive member of the Young Presidents Organization's Maple Leaf Chapter, and previously served on its board as Education Officer. He sits on the boards of directors of the Canadian Olympic Foundation, Toronto Public Library Foundation, Friends of Aseema, and Kids Cook to Care. He also serves as a line of credit guarantor for Windmill Microlending, which supports immigrants and refugees who come to Canada with education, skills and experience but struggle to resume their careers here.

14. Through the Moez & Marissa Kassam Foundation, Kassam has donated millions of dollars to Canadian charitable causes, including the Sunnybrook Foundation, the SickKids Foundation, Community Food Centres Canada, the Michael Garron Hospital Foundation, the Canadian Foundation for AIDS Research (CANFAR), Together We Stand Foundation, the Institute for Canadian Citizenship, the South Asian Legal Clinic of Ontario and many others. In fiscal year 2021 alone, the Moez & Marissa Kassam Foundation donated over one million dollars to various Canadian charitable entities.

15. Kassam provides advice with respect to AIMF and all of Anson's other funds under management and is ultimately responsible for Anson's investment strategy, trading, and overall investment performance. Kassam is the face of Anson and is well known in the industry as such.

## **B. THE DEFENDANTS**

16. The Defendant James Stafford ("**Stafford**") is the principal of A Media Solutions Limited, a private company that was incorporated in 2012 and is registered in England and Wales, which operates the website [www.OilPrice.com](http://www.OilPrice.com). He is also the principal of Advanced Media Solutions, a company incorporated in the British Virgin Islands, which owns [www.OilPrice.com](http://www.OilPrice.com). Although Stafford styles himself as a "journalist", "publisher" and "editor" of [www.OilPrice.com](http://www.OilPrice.com), he is, in fact, a stock promoter. Stafford has made millions of dollars as a stock promoter by writing sensationalist yet glowing articles about companies that advertise with him. Despite extensive efforts to attempt to identify Stafford's residential address, the Plaintiffs do not know Stafford's address and do not know where he resides. Stafford appears to have connections to numerous jurisdictions and it is unknown to the Plaintiffs whether Stafford's residential address is in Mexico, England, the Bahamas, or elsewhere. He maintains operations in Mexico and has a business registered there; at least four employees of [www.OilPrice.com](http://www.OilPrice.com) are based in Mexico; several of the Unlawful Statements (as defined below) were published from Mexico on the website Stockhouse (which provides market news and analysis regarding companies with small market capitalizations, as well as message boards for users to discuss securities issuers) as discussed in paragraphs 53 to 61 below and in **Appendix "C"** at section PART I -C; and Stafford himself, using the Stockhouse account

“ToffRaffles” (which is linked to one of his email addresses) published Unlawful Statements on Stockhouse from an IP address originating in Mexico (as discussed in paragraph 106 below). For further information on Stafford’s background, companies and possible location, see **Appendix “C”** at sections PART I -A and PART I -C.

17. The Defendant Andrew Rudensky (“**Rudensky**”) resides in Toronto, Ontario. Rudensky is a partner of The Delavaco Group, a small merchant bank with a historical working relationship with Stafford. Rudensky previously worked as an advisor at Richardson GMP Limited from November 2009 until September 2015.

18. In July 2018, the Investment Industry Regulatory Organization of Canada (“**IIROC**”) found that Rudensky had violated IIROC Dealer Member Rules by engaging in personal financial dealings with one of his clients and by making false and misleading representations to his firm. Rudensky had borrowed \$3 million from a client to finance a trade and misrepresented the source of the funds to Richardson GMP Limited. IIROC found that Rudensky’s “misconduct and lack of honesty harmed market integrity and the reputation of the marketplace. He breached the fundamental principle of trust in the business.” IIROC ultimately suspended Rudensky from his IIROC registration for two years, ordered him to pay fines and disgorgement totalling \$55,923, and ordered him to pay IIROC’s costs of \$24,500. The Ontario Securities Commission upheld that decision upon review.

19. The Defendant Robert Lee Doxtator (“**Robert**”) resides in Belleville, Ontario. He is a founder of Harvest Moon Cannabis Company (a company providing research and due diligence services) and is a business development consultant in the cannabis industry. In

the past, Robert has shared due diligence with Anson. Robert operates a Twitter account under the username @BettingBruiser. It has over 14,000 followers. The “Betting Bruiser” Twitter profile states: “@HarvestMoon420 Founder -#Potstocks Legal & Business Development Consultant Inquiries: HarvestMoonCannabisCo@gmail.com.” It is well known in the Canadian investment industry that “Betting Bruiser” is Robert.

20. Robert, as “Betting Bruiser”, is a prolific Twitter user and has repeatedly used his Twitter account to publish offensive content, including content disparaging of immigrants, women and members of the LGBT community.

21. While Robert holds himself out to be a lawyer, including in posts on the “Betting Bruiser” Twitter account, there is no record of his being admitted to practice law in any province or territory of Canada.

22. The Defendant Jacob Doxtator (“**Jacob**”) is the cousin of Robert. He also resides in Belleville, Ontario. He operates, in coordination with Robert, a Twitter account through an alter-ego named “John Murphy” under the username @JohnMur67039142. Unlike with “Betting Bruiser”, it is not commonly known that Jacob operates the “John Murphy” Twitter account. The Defendants went out of their way to use this account to conceal their identities as part of their scheme against Anson. Although Jacob lives in Belleville, the Twitter account states that “John Murphy” lives in the state of Georgia in the United States. The John Murphy account was removed from Twitter in or around March 2021, after this claim was brought and Jacob was served.

23. The Defendants John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the “**Unknown Defendants**”) are individuals whose identities are

presently unknown, but who are believed to have the means and business motivation to seek to harm the Plaintiffs. The Unknown Defendants may reside in the United States or elsewhere outside of Canada. The Plaintiffs will substitute the actual names of these Defendants after they have been discovered.

24. More generally, the Plaintiffs reserve their right to make, or seek to make, amendments to this pleading to incorporate additional material facts and information that they discover.

### **C. OVERVIEW OF CLAIM**

25. Stafford, Rudensky, Robert, Jacob (Robert and Jacob together are referred to as the “**Doxtators**”) and the Unknown Defendants are parties to a sophisticated, coordinated scheme to damage the Plaintiffs’ business and reputations (the “**Conspiracy**”).

26. In particular, and as described further below, in furtherance of this Conspiracy, the Defendants maliciously and intentionally entered into an agreement to conspire with one another and committed acts with the predominant purpose of injuring the Plaintiffs by damaging their business and reputations. In addition, or in the alternative, in furtherance of this Conspiracy, the Defendants have acted in a concerted and coordinated effort while using unlawful means aimed at the Plaintiffs, including but not limited to acts that amount to defamation at law, when they knew, or ought to have known, that significant harm to the Plaintiffs would result. In fact, the Defendants have caused significant damage to the Plaintiffs’ business and reputations through their unlawful, improper conduct. Furthermore, the Defendants took sophisticated steps to conceal their identities and advance the Conspiracy anonymously (using, among other things and as described

further below, offshore web developers based in Bosnia and Herzegovina, temporary “burner” email addresses, virtual private networks (“**VPNs**”), fake identities, anonymous Twitter profiles, and more) because they knew that they were engaged in unlawful conduct. The Defendants are savvy about capital markets and deliberately fabricated allegations about the Plaintiffs – or at best were reckless as to whether the allegations were false – in order to sabotage their business. In addition, some or all of the Defendants are routinely engaged in pump and dump schemes and publicly blame the Plaintiffs when the artificially inflated share prices of the companies at issue ultimately return to their lower, intrinsic levels.

27. In the Conspiracy, Stafford, Rudensky and the Doxtators coordinated and agreed with one another and with the Unknown Defendants to harm the Plaintiffs through a carefully planned and executed plot. This plot has included fabricating, spreading and publicizing a series of unlawful, abusive, false, malicious, harassing and defamatory statements about Anson, Kassam and other individuals connected with Anson (the “**Unlawful Statements**”), including by first publishing defamatory comments on the website Stockhouse, and then on a series of websites generated by the Defendants, as set out below, in an attempt to manufacture a narrative to harm Anson and Kassam; hiring freelance web developers based in Bosnia and Herzegovina to register the websites on which Unlawful Statements were posted, for the purpose of concealing the Defendants’ identities; taking other sophisticated steps to obscure their identities while disseminating Unlawful Statements, including hiring Bosnian developers, using VPNs, burner email addresses and false identities; sending targeted communications containing the Unlawful Statements via email, including to reporters, as well as disseminating the Unlawful



Statements on Twitter, Reddit and other platforms; and attempting to improperly attract media attention to the Unlawful Statements. Moreover, the Defendants have sought to disseminate the Unlawful Statements internationally to individuals in (at least) the United States (where the Plaintiffs do business) as well as in Canada, with the intention of causing maximum, widespread harm to the Plaintiffs.

28. Steps taken by the Defendants pursuant to the Conspiracy include the following:

- (a) in summer 2019, some or all of the Defendants, and in particular Robert, began a campaign to spread Unlawful Statements about the Plaintiffs on Twitter through Robert's "Betting Bruiser" Twitter account;
- (b) in July and August 2020, in a further concerted and coordinated effort, the Defendants increased their efforts and conspired to post Unlawful Statements on message boards on the website Stockhouse. These Unlawful Statements were viewed by many thousands;
- (c) beginning on or around September 27, 2020, after the Plaintiffs took steps to have the Unlawful Statements on Stockhouse removed, the Defendants conspired to anonymously write, publish and disseminate a lengthy Internet post containing Unlawful Statements about the Plaintiffs (the "**Defamatory Manifesto**") on a series of websites. The Plaintiffs believe that Stafford led the effort to draft and publish the Defamatory Manifesto, including because Stafford styles himself a "journalist" and is often hired as a promoter of stocks – including those mentioned in the Defamatory Manifesto – in pump and dump schemes, with the aim of creating publicity in order to artificially

and often temporarily inflate the share price of companies in which his clients have a financial interest. The Defamatory Manifesto also mimics Stafford's sensationalist writing style. The Plaintiffs further believe that Robert and Rudensky directly participated in the preparation and/or drafting of the Defamatory Manifesto, including (but not limited to) supplying Stafford with many of the false and defamatory allegations against the Plaintiffs, which Stafford then incorporated into the Defamatory Manifesto. However, the precise roles of the Defendants in crafting and disseminating the Defamatory Manifesto are known to them alone, and not yet known to the Plaintiffs;

- (d) The Defendants knew that the allegations in the Defamatory Manifesto were false and defamatory, and intended to make and widely distribute these false, defamatory and misleading allegations. They sought to imbue the Defamatory Manifesto with credibility by falsely calling it an "investigation". It was viewed by tens of thousands of people, and counting;
- (e) as part of the Defamatory Manifesto, the Defendants set up a "tipline" operated by Stafford to collect further false and defamatory allegations against the Plaintiffs;
- (f) the Defendants hired freelance web developers based in Bosnia and Herzegovina to register the websites on which they published the Defamatory Manifesto, to obscure the websites' origins and conceal the

Defendants' involvement in the publication, something that would only be part of a sophisticated plot;

- (g) after the Plaintiffs were forced to take steps to have websites publishing the Defamatory Manifesto taken down, the Defendants again re-published it on new websites, which were once again created in a manner to conceal the Defendants' involvement. A version of the Defamatory Manifesto remains available on the Internet;
- (h) the Defendants used alter-ego Twitter accounts, and/or hired or otherwise procured or involved additional conspirators, to further disseminate and publish links to the Defamatory Manifesto;
- (i) the Defendants, similarly concealing their identities through alter-egos, using fake email addresses and Twitter accounts and VPNs, and/or by hiring or otherwise procuring or involving additional conspirators for this purpose, publicized and provided links to the Defamatory Manifesto on various Internet message boards and chat rooms. These message boards and chat rooms related to the Canadian and U.S. securities markets and are frequented by investors;
- (j) the Defendants also used alter-ego Twitter accounts to publish further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs, including wishing harm to come to Kassam, and inciting or encouraging others to harm him;

- (k) the Defendants published further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs through targeted emails sent from an anonymized email address;
- (l) the Defendants generated an Excel spreadsheet titled "Journalists.xlsx" that was made up of a list of journalists, news editors and others in the business community to whom the Defamatory Manifesto would be sent, with the goal of maximizing its distribution (the file was created on September 30, 2020 and listed 2,854 names). In the metadata, James Stafford (who purports to be a "journalist" with access to such contacts) is indicated as the "author" of this spreadsheet. The Defendants sent the Defamatory Manifesto to the media in a concerted but unsuccessful attempt to use the media to further publicize the Unlawful Statements and lend them a false and unwarranted air of credibility;
- (m) from fall 2020 through at least spring 2021, the Defendants continued their coordinated defamation campaign by publishing false and defamatory Unlawful Statements in over 1,000 posts on the website Stockhouse. The Defendants took steps to conceal their identities and obscure the origin of these additional Stockhouse posts by using VPNs, and temporary email addresses;
- (n) on June 28, 2021, after the initial Statement of Claim in this matter was issued, the Defendants published a sequel to the Defamatory Manifesto on the website [www.marketfrauds.to](http://www.marketfrauds.to), titled "Moez Kassam & Anson Funds Part

II: Rotten to the Core” (the “**Second Defamatory Manifesto**”). The Defendants published several other false and defamatory posts about the Plaintiffs on this website, including audio recordings provided by Robert, demonstrating his involvement in the preparation and/or drafting of the Second Defamatory Manifesto, as described further below. The Second Defamatory Manifesto was released on June 28, 2021, days after critical commentary regarding Reconnaissance Energy Africa Ltd. (“**RECO**”), a stock that Stafford was hired to promote, as set out below, was published: *The Globe and Mail* published an article questioning the legitimacy of RECO on June 20, 2021. Viceroy Research, another forensic research firm, published analysis also questioning the quality of RECO assets and stock value on June 24, 2021. Stafford used the Plaintiffs as a scapegoat to distract attention from adverse developments involving companies in which he had an interest.

29. As a result of the Defendants’ conduct, the Unlawful Statements have been publicized broadly on the Internet, on various websites and online message boards, including Reddit and Stockhouse, and on Twitter. They have been disseminated widely, causing unwarranted adverse publicity for Anson that has significantly disrupted and damaged its business. In fact, as of the date of this Fresh as Amended Statement of Claim, the Secondary Defamatory Manifesto is on the “first page” of Google search results for Moez Kassam.

30. The Defendants have the means to attack the Plaintiffs through the Conspiracy and are motivated by an animus against Anson because of its scrutiny of overvalued

stocks and pump-and-dump schemes, some of which Stafford or the other Defendants stood to benefit from. Stafford is paid significant sums of money (millions of dollars) as a stock promoter and has been involved in several pump and dump schemes. In particular, the Plaintiffs believe that the Defendants have targeted them in their malicious and illicit Conspiracy because part of Anson's investment strategy involves scrutinizing overvalued companies, including, in the past, those in the cannabis industry, and including overvalued companies which Stafford promoted and/or invested in.

31. As was the case with other investment firms in 2018, one of Anson's investment strategies involved short-selling securities of several Canadian-operated publicly listed cannabis companies that it believed to be overvalued. Many investment firms, in the ordinary course of business, established short positions against Canadian cannabis companies whose stock prices they believed to be overvalued based on their business fundamentals. Some of these cannabis companies were referred to in the Unlawful Statements.

32. The Unlawful Statements falsely attribute to the Plaintiffs an almost preternatural power to choose securities where they can cause the share price of a company to decline. The Plaintiffs did not cause the share prices of the companies mentioned in the Unlawful Statements to decline. Market fundamentals – alongside overall waning investor sentiment and the actual performance of these companies, among other factors – did. In most cases, the valuations of such companies had at one point fallen 70% or more from their peak price.

33. The Defendant Rudensky has an animus against Anson and Kassam tracing back to at least December 2018, when an independent forensic financial research firm, Hindenburg Research, posted critical findings about Aphria Inc. ("**Aphria**"), a publicly traded cannabis start-up. During this period, Aphria's stock price fell over 40%. The critical research findings related to a key promoter of Aphria who is one of its founders, Andy DeFrancesco. DeFrancesco is the CEO of The Delavaco Group, a merchant bank of which Rudensky is a partner. Rudensky wrongfully blamed the Plaintiffs for Hindenberg's critical research findings regarding Aphria.

34. The Defendant Stafford has an animus against Anson and Kassam tracing back to at least mid-2020, including but not limited to in connection with the companies Facedrive Inc. ("**Facedrive**") and RECO. Stafford has a significant financial interest and exposure to Facedrive and RECO, which gave him an incentive to diminish and disparage critical commentary about those companies. As a result, Stafford publicly and wrongfully used the Plaintiffs as scapegoats to blame for Facedrive and RECO's share prices declining, and in particular he blamed the Plaintiffs for the critical research findings about Facedrive and RECO published by Hindenburg Research and Viceroy Research respectively. In fact, the share prices of overvalued companies like FaceDrive and RECO decline not because of the Plaintiffs' influence, but rather because of market fundamentals.

35. Stafford is a stock promoter and was hired, directly and/or indirectly, to promote, and artificially inflate the volume and/or price of, Facedrive shares using his website, [www.OilPrice.com](http://www.OilPrice.com). The public disclosure on [www.OilPrice.com](http://www.OilPrice.com) stated in part that the purported articles about Facedrive "**should be viewed as a commercial advertisement**

**only. We have not investigated the background of the featured company. Frequently companies profiled in our alerts experience a large increase in volume and share price during the course of investor awareness marketing, which often end as soon as the investor awareness marketing ceases”** (emphasis added).

36. In total, Stafford directly and indirectly, at one point in time, owned up to approximately 1.5 million shares in Facedrive (worth roughly \$8 million at the time the agreement was press released by Facedrive), some of which he received as compensation for stock promotion, and some of which he purchased on the open market. As a result, Stafford had a significant incentive to inflate Facedrive's share price.

37. These incentives gave Stafford the impetus to engage in the Conspiracy and spread Unlawful Statements about the Plaintiffs. Given Stafford's financial interest in Facedrive, he has an incentive to undermine and disparage critical commentary about Facedrive, published by market participants or other observers, which questions its intrinsic value. On July 23, 2020, Hindenburg Research published research findings that were critical about Facedrive. That same night, the first Unlawful Statements about the Plaintiffs were published on Stockhouse.

38. Stafford was also hired to promote, and artificially inflate the volume and/or price of, RECO's shares. Since January 2020, Stafford and/or his companies have published over twenty false and misleading articles promoting RECO on [www.OilPrice.com](http://www.OilPrice.com). The disclosure on these articles indicates that Stafford was paid US\$280,000 for a series of four articles in January 2021. All of the articles consistently disclosed that Stafford and/or



his companies own shares in RECO and accordingly have a substantial incentive to see the share price perform well.

39. Stafford's financial interest in RECO once again motivated him to spread Unlawful Statements about the Plaintiffs as part of the Conspiracy. On June 20, 2021, *The Globe and Mail* published a critical article about RECO. On June 24, 2021, Viceroy Research, another forensic research firm, expanded on *The Globe and Mail's* reporting and posted further critical findings about RECO. The critical findings included allegations that RECO had engaged in stock promotion and had other fundamental issues. The Second Defamatory Manifesto was published on June 28, 2021, a few days after Viceroy Research released its first report regarding RECO.

40. For further information on Facedrive, RECO and Stafford's animus towards the Plaintiffs, see **Appendix "C"** at section PART I -B.

41. With respect to the Defendant Robert, he has an animus against Anson and Kassam, which is in part based on his claims that he has not been paid for due diligence that he shared with Anson. In October 2020, he aggressively attempted to obtain a significant and unwarranted amount of money from Anson, plus an indemnity and immunity, in exchange for certain due diligence he shared with Anson, and for information on the identity of the Unknown Defendants, which he confirmed he knew. Robert utilized the circumstances – the publication of the Defamatory Manifesto and other Unlawful Statements – to attempt to pressure Kassam and Anson to pay him significant amounts, giving his demands the air of extortion. While not all aspects of Robert's animus against Anson and Kassam are known to the Plaintiffs, the animus is consistent with past racist

tweets by Doxtator, and in light of the fact that Kassam, other senior employees at Anson, and their spouses are not Caucasian.

42. Though all of the parties behind the Conspiracy to damage the Plaintiffs' business and reputation are not known at this time, the damage wrought by their illegal conduct is clear.

#### **D. THE DEFENDANTS' CONSPIRACY AGAINST THE PLAINTIFFS**

##### ***(i) Beginning in late 2018, Robert develops animus towards Plaintiffs***

43. Beginning in late 2018, Robert developed a malevolent animus towards the Plaintiffs, and in particular towards Sunny Puri ("**Puri**"), a Principal and Portfolio Manager at Anson. Indeed, as set out below, Robert's animosity towards Puri has included threatening violence.

44. Anson and Kassam first met Robert in late August 2018, when they discussed the prospect of him providing consulting services to Anson via the company he had founded, Harvest Moon Cannabis Company. Over a series of messages exchanged between Kassam, on behalf of Anson, and Robert, Anson and Robert agreed that Robert would provide Anson with due diligence, and that if Anson chose to trade on any due diligence provided by Robert, it would pay Robert 15% of any profits it made on the trade. Anson could and did independently decide, based on its own process, if it would trade any securities discussed with Robert.

45. In the months after August 2018, Robert shared limited due diligence with Anson regarding certain public companies, but Anson did not trade on any of that information at that time. Robert became irrationally angry with Anson, and with Puri in particular,

because Robert thought – incorrectly – that Anson had traded profitably on the limited due diligence he had provided and that Anson had shared this information with others. In November 2018, Robert told Allen Spektor (the person who introduced Robert to Anson) that he wanted Puri fired. On November 8, 2018, Robert wrote to Spektor via a messaging app that “I’m never moving on...And if I see sunny [sic] I might kick him in the teeth[.] Straight up[.] Your friend is a SHYSTER”.

46. In or around August 2019, Robert provided Anson with diligence concerning General Electric (the “**GE Diligence**”), which Anson did use in respect of a trade. Specifically, on or around August 15, 2019, Anson purchased approximately 5,000 put options in GE, which allow for the right to short sell the equivalent of 500,000 shares. Anson also sold short approximately 430,000 common shares of GE. Anson subsequently closed both positions. Kassam informed Robert about Anson’s trades in GE in real time in order to be completely transparent about how Anson was using the GE Diligence. In the aggregate, Anson’s GE trade yielded a profit of US\$121,073.70. Anson was prepared to pay Robert 15% of its profit, or US\$18,161.06, for the GE Diligence in accordance with its arrangement with Robert.

47. Despite this transparency, Robert refused to accept the amount he was owed for the GE Diligence because he falsely claimed, without any basis, that Anson had “made millions” using it. Instead, Robert began to threaten legal action, as well as physical violence and other retribution.

48. On August 21 and 22, 2019, Robert sent Kassam the following messages (emphasis added):

***I'm working on a report***

***It's called the biggest predatory fund in Potstocks...***

I'm going to talk to my lawyer also cause I'm sick [of] people like trying [to] fuck me over...

I'm going to talk to my lawyer sorry Moez sick of this...

***So tomorrow I reveal your friendly bear***

Just getting started

Reports ready to go...

***You fucked over wrong person for last time Moez***

Tweets pretty popular

Media already texting me for the story

49. In September 2019, while Puri was in a meeting at a professional conference at the Shangri-La Hotel in Toronto, Robert threatened to physically assault him in front of other conference attendees.

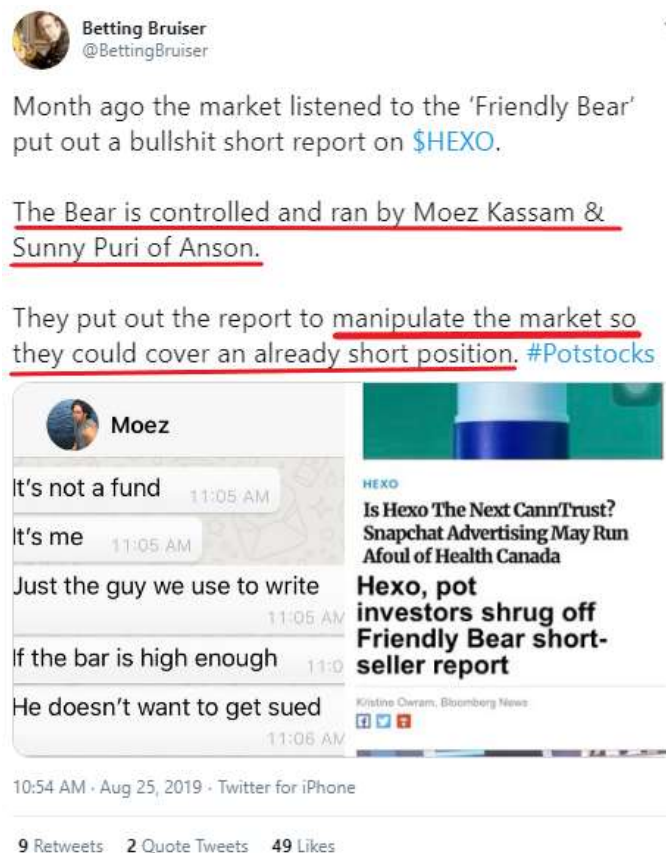
50. After August 2019, Anson never again worked with Robert.

***(ii) In Summer 2019, Robert launches a Campaign to spread Unlawful Statements about the Plaintiffs***

51. In late August 2019 – a few days after threatening to begin to publicly “reveal” purported content about Anson – Robert unleashed a series of tweets through his Betting Bruiser account making false and defamatory Unlawful Statements about the Plaintiffs. Just as Robert had threatened Kassam, “Betting Bruiser” tweeted false allegations that

Anson and Kassam had commissioned a report that the Friendly Bear, an independent research outfit, had published regarding Hexo Corp., a cannabis company. In particular:

- (a) on August 25, 2019, “Betting Bruiser” tweeted false allegations about Anson’s purported involvement in the Friendly Bear report. He falsely alleged that Anson “controls” the Friendly Bear – which allegations also appeared in the Defamatory Manifesto over a year later. He included in the tweet a screen shot of text messages from Kassam, which he presented out of context and in a misleading manner (emphasis added below):



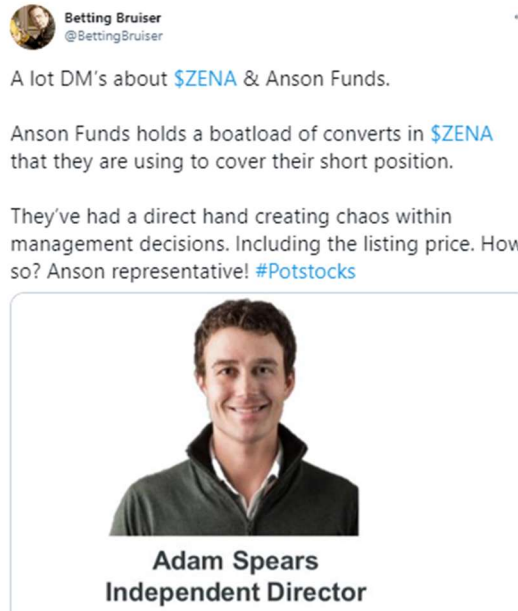
To be clear, neither Anson nor Kassam owns or controls (or owned or controlled at the time) the Friendly Bear. As described above, publication of

public company analysis is a routine feature of the capital markets. Anson and other market participants routinely share investment theses (based on publicly available information) with others in the industry for the purpose of stress testing such theses. To the extent individuals publish reports on public companies, these may or may not accord with the views of Anson and other investment firms. Anson does not “control” such analysts, who independently form their own views regarding companies and independently choose if and when to publish reports;

- (b) later the same day, he tweeted about his plan to “expose” Anson. This tweet falsely stated that Anson had connections to market manipulators, and that the Anson funds had “created” a “death spiral” in public companies in order to “cash out their short positions”:



- (c) on August 26, 2019, “Betting Bruiser” published several tweets falsely alleging that Anson used a representative, Adam Spears, on the Board of Directors of a cannabis company named Zenabis Inc. (“**Zenabis**” or “**\$ZENA**”) to intentionally and negatively influence the company’s business decisions and artificially reduce its share price:



- (d) later that same day, he tweeted false allegations that Spears was recording conversations among Zenabis management so that Anson could blackmail the company or use the information to its detriment (emphasis added below):



52. On March 11, 2020, "Betting Bruiser" tweeted a photo of Puri, commenting: "The biggest chicken hawk that I've ever met in my life. Every time I see him we have words. Sunny Puri from Anson Funds. If you've ever crossed paths with him then your stock is likely -95% from its high and he holds your [fate] in his hands via convertible debt. #PotStocks". This demonstrates the personal animus that Robert holds towards Puri.

**(iii) In Summer 2020, the Conspiracy spreading Unlawful Statements about the Plaintiffs expands**

53. In July and August 2020, the Defendants conspired to spread the publication of the Unlawful Statements on the Internet, including via posts published on the website Stockhouse. They published posts on Stockhouse on:

- (a) July 23 (the “**July 23 Stockhouse Post**”),
- (b) August 14 (the “**August 14 Stockhouse Post**”),
- (c) August 17 (the “**August 17 Stockhouse Post**”), and
- (d) August 28, 2020 (the “**August 28 Stockhouse Post**” and collectively, the “**Unlawful Stockhouse Statements**”).

54. The August 14, 17 and 28 Stockhouse Posts were published from Mexico.

55. The Defendants have also continued to publish further and additional Unlawful Statements on Stockhouse through at least spring 2021 (collectively, the “**Further Unlawful Stockhouse Statements**”). Many of the Unlawful Stockhouse Statements and Further Unlawful Stockhouse Statements were published using IP addresses originating in Mexico, predominantly Mexico City, the surrounding area, and the nearby city of Toluca. At least four employees of www.OilPrice.com are based in Mexico.

56. For example, as set out above, on July 23, 2020, Hindenburg Research published a critical report about Facedrive, a company whose stock Stafford was hired to promote.



57. Stafford and the other Defendants conspired to anonymously publish a post titled “The Real Story on Moez Kassam and Anson Funds – Part 1” on Stockhouse on July 23, 2020, under the pseudonym “JusinTime”:



58. The July 23 Stockhouse Post called Kassam a “criminal” and included statements accusing him of engaging in illegal, unethical, and “corrupt” business practices as well as egregious personal attacks, which were intended to damage his reputation and turn investors away from him. The accusations are false and defamatory.

59. The July 23 Stockhouse Post accused Kassam of being “corrupt and criminal” and asserted that his practices included “treading on people, lying and using every trick in the book to bring companies down that he bet against” (emphasis added below):

So here is the beginning part of the tale about the corrupt and criminal CIO at Anson funds?  
A few short years ago Moez Kassam was a high flying star in the hedge fund space. He had \$1 billion under management (now down to \$250 million and falling) and was the praise of the financial community. But what people don't know is that his media praise was paid for (like when Toronto Life covered his wedding – paid for and made to look like an editorial - shame), But even worse he made his money the dirty way, treading on people, lying and using every trick in the book to bring companies down that he bet against. Whatever it took, whoever he ruined financially or reputation wise he would do it to turn a profit.

60. For more detail on the July 23 Stockhouse Post and information regarding the Unlawful Stockhouse Statements that followed, see **Appendix “D”**.

61. Other posts containing Unlawful Statements against the Plaintiffs, in addition to those described in **Appendix “D”**, were published on Stockhouse throughout July and

August 2020 via Mexican IP addresses. Stockhouse users located in Mexico City and surrounding areas were some of the most active and frequent posters of Unlawful Statements on Stockhouse. Later, as set out further below, a Stockhouse account named “ToffRaffles”, which is controlled by Stafford, published several Unlawful Statements on Stockhouse via a Mexican IP address associated with Mexico City.

62. Following communications with Stockhouse and in light of its website terms and conditions of use, which prohibit unlawful or defamatory content, the Plaintiffs were able to have the Unlawful Stockhouse Statements removed from the Stockhouse website.

63. Almost immediately after the removal of the Unlawful Stockhouse Statements, the Defendants conspired to curate a lengthier publication adding to the false and defamatory statements they previously published via the Unlawful Stockhouse Statements. Then they took to other means to broadly disseminate the Unlawful Statements as part of their concerted and coordinated effort to defame the Plaintiffs.

64. On September 10, 2020, “John Murphy” tweeted that Anson and Kassam were engaged in unlawful market manipulation, and that regulators should scrutinize Anson and Kassam, tagging the Twitter accounts of Robert (“Betting Bruiser”); Jeff Kehoe, head of enforcement of the OSC; and Daniel Dale, a reporter with CNN who formerly reported for The Toronto Star:

these reverse pump and dumps must be watched more closely by the regulators. moez and his band fund these trades every week @ClarityToast finds the next fraud that he is paid to profile. @BettingBruiser @ddale8 @JeffKehoeOSC \$apha \$fd \$gfl \$nkla

65. A few days later, on September 12, 2020, “John Murphy” tweeted (emphasis added):

***anson is a very corrupt*** cad fund naked [sic] shorting many small cap co's and when they get in trouble / want to cover ***they pay groups like @HindenburgRes to say the co is a fraud and going to zero***. how many zeros have they called, the bottom is normally around when the piece comes out

66. In or around summer or early fall 2020, Stafford, Rudensky and/or Robert met or spoke and agreed to concoct defamatory allegations against the Plaintiffs and coordinate the content of the Defamatory Manifesto. They were motivated by their respective animus against the Plaintiffs, as described herein. Stafford was aware of Robert's animus against the Plaintiffs because he had publicly documented it via Twitter. Stafford and Rudensky had previously met given that Rudensky's employer, the Delavaco Group, worked with Stafford on several occasions to promote stocks through [www.OilPrice.com](http://www.OilPrice.com).

67. Stafford, Rudensky and/or Robert met or spoke on at least four occasions to plan the Defamatory Manifesto. At those meetings, some of which were recorded and/or transcribed, Stafford solicited Robert and Rudensky for material to include in the Defamatory Manifesto. Robert and Rudensky – purportedly acting as “sources” for Stafford as a “journalist” – made false and defamatory allegations against the Plaintiffs that they knew and intended that Stafford or others would use in the Defamatory Manifesto. Stafford, Robert and Rudensky planned to publish the Defamatory Manifesto anonymously because they knew the allegations it contained were defamatory. When Robert later spoke to Kassam about the Defamatory Manifesto, he falsely told Kassam that, although he knew about the Defamatory Manifesto, he was not involved in its drafting

or publication, and instead blamed only Stafford and Rudensky (as described in paragraphs 98-99 below).

68. Excerpts from transcripts of meetings and/or conversations between Stafford, Rudensky and/or Robert to plan the Defamatory Manifesto are included in **Appendix “E”** at section A. As set out in **Appendix “E”** at section A, the excerpts from the transcripts establish that: Rudensky was involved in preparing the Defamatory Manifesto; Stafford and Robert discussed drafting the Defamatory Manifesto, with Stafford asking Robert to draft false and defamatory allegations against the Plaintiffs; Stafford, Rudensky and Robert intended to harm the Plaintiffs by targeting their relationships with brokers and regulators; Stafford was paid to promote Facedrive; Stafford and Robert discussed Rudensky's employer, Andy DeFrancesco; and Robert was involved in critical research findings published about public companies, including Aphria.

69. Stafford, Rudensky, Robert, Jacob and the other Unknown Defendants then wrote or contributed to the Defamatory Manifesto – using the material provided by Robert and Rudensky as well as material from other Defendants and other sources – and/or published, disseminated or publicized the Defamatory Manifesto, as set out below.

70. On or around September 27, 2020, the Defamatory Manifesto – a 20-page screed titled “Moez Kassam and Anson Funds: A Tale of Corruption, Greed and Failure” – appeared on the website [www.MoezKassam.com](http://www.MoezKassam.com). It was published anonymously under the pseudonym “The Match Man”.

71. [www.MoezKassam.com](http://www.MoezKassam.com) is a website created or established by the Defendants for the principal purpose of publishing the Defamatory Manifesto in furtherance of the conspiracy.

72. In the weeks after the Defamatory Manifesto was published, Anson received two anonymous telephone calls at its offices threatening harm to Anson and physical harm to Kassam personally.

***(iv) The Defamatory Manifesto expands on previously published false statements and falsely states and implies that the Plaintiffs' behaviour was illegal, unethical, and/or in violation of securities laws***

73. The Defamatory Manifesto contains many serious and inflammatory allegations regarding the Plaintiffs that are entirely false and that the Defendants knew or ought to have known were false. It repeats and expands on the baseless claims made in Robert's August 2019 tweets and the Unlawful Stockhouse Statements. It falsely and maliciously accuses Anson, Kassam, and other Anson personnel, including Puri, of dishonest and illegal activities that included the following: short-selling schemes, which the Defamatory Manifesto alleges were illegal, even though short selling is a legal trading strategy; insider trading; fraud; and other breaches of securities laws and regulatory rules and policies, among other things.

74. Although the Defamatory Manifesto was published anonymously, it references many precise topics that the Doxtators had previously tweeted false claims about. Robert provided this material to Stafford in their meetings to plan the Defamatory Manifesto.

75. By way of example, from its first paragraph, the Defamatory Manifesto accuses the Plaintiffs of engaging in criminal and unethical conduct (emphasis added):

***Never has there been a bigger scourge of the Canadian capital markets. Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions. In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends. Now, the other shoe is about to drop as Kassam's funds run out and a string of failed attempts at illegal destruction leave this naked short seller truly naked.***

76. The Defamatory Manifesto labels Kassam the “Toad of Bay Street”, with a large photograph of a toad, and advises readers to “steer clear” from Kassam’s ***“illegal activities.”***

77. A detailed summary of the entire Defamatory Manifesto can be found in **Appendix “E”** at section B.

78. The Defamatory Manifesto encourages readers to share and re-publish it. It also solicits readers to provide additional defamatory material regarding Anson and Kassam for future posts, including by use of the email “hotline” accounts, such as [info@moezkassam.com](mailto:info@moezkassam.com).

79. The earliest published version of the Defamatory Manifesto purported to be a standalone document. The Defamatory Manifesto was later amended to allege that it was the first of a three-part series (similar to the “Part 1” concept used in the title of the July 23 Stockhouse Post). “Part 2”, the Second Defamatory Manifesto, has been published, as set out below. To Anson’s knowledge, the third part has not yet been published. If it is, and it contains false, malicious and defamatory content similar to the Unlawful Statements

already contained in the Defamatory Manifesto and the Second Defamatory Manifesto, it will cause further, irreparable damage to the Plaintiffs' business and reputations.

**(v) *The Defendants procured at least eight internet domains to facilitate widespread publication of their Defamatory Manifesto***

80. Following communications with the third party host of the www.MoezKassam.com domain, the Plaintiffs were able to have Defamatory Manifesto removed from that website.

81. Since that time, the Defendants acquired multiple Internet domain names to republish the Defamatory Manifesto online. To date, the websites acquired and used by the Defendants to publish the Defamatory Manifesto include the following:

- (a) www.MoezKassam.com;
- (b) www.StockManipulators.com;
- (c) www.CapitalMarketCrimes.com;
- (d) www.StockManipulators.org;
- (e) www.CapitalMarketCrimes.org;
- (f) www.MarketCrimes.ws;
- (g) www.MarketCrimes.to;
- (h) www.CapitalMarketCrimes.to; and
- (i) www.MarketFrauds.to.

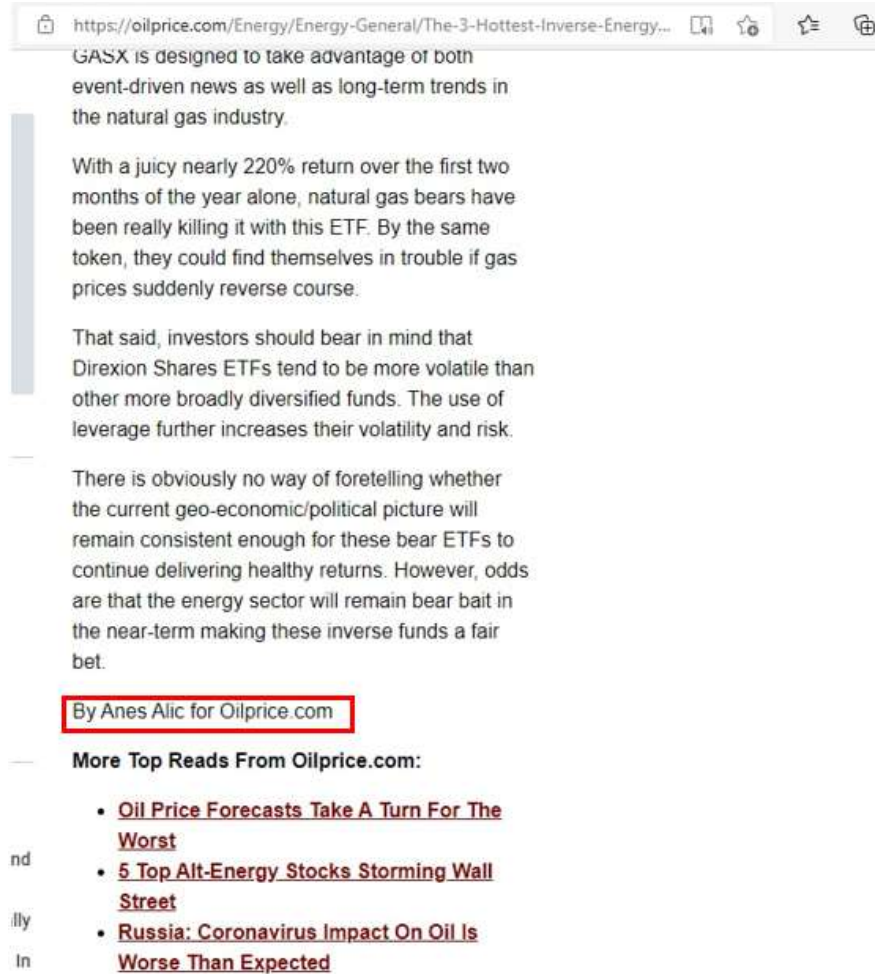
82. Whenever the Plaintiffs have taken steps to have a website containing the Defamatory Manifesto taken down, the Defendants have republished the Defamatory

Manifesto on a new website, forcing the Plaintiffs to seek to have that new post of the Defamatory Manifesto taken down. Each time the Defamatory Manifesto is republished online, it increases the harm and damage to the Plaintiffs. The Plaintiffs' claim against the Defendants is in relation to all versions of the Defamatory Manifesto that any of the Defendants published on the Internet, regardless of any differences between published versions of the Defamatory Manifesto.

83. The Defendants did not acquire the domain names directly. Rather, in order to cover their tracks and frustrate the Plaintiffs' efforts to determine who was behind the Defamatory Manifesto, the Defendants hired freelance web developers based in Sarajevo, Bosnia and Herzegovina, and potentially other developers based in other jurisdictions, to create the websites and register the websites on their behalf. This was a sophisticated attempt to obfuscate who was behind the Defamatory Manifesto and shield members of the Conspiracy from liability for their misconduct.



84. The Defendants or their proxies communicated with the Bosnian developers using anonymous email addresses to conceal their identities, including from the developers themselves. The email addresses used by the Defendants were editormarketinvestigations@protonmail.ch and anesalic@protonmail.com. "Anes Alic", the name used in one of these email addresses, is a "journalist" for Stafford's website www.OilPrice.com (as shown below), and the emails sent by anesalic@protonmail.com to the developers were sent either by Stafford or at his behest:





85. Stafford and the other Defendants compiled a spreadsheet containing the names and email addresses of 2,854 journalists, news editors, and others in the business community to whom they planned to disseminate the Defamatory Manifesto. Stafford had many of these names and contact information in his purported capacity as a “journalist”. He and the other Defendants – seeking to imbue the Defamatory Manifesto with a false sense of credibility – intended that these journalists and news editors would re-publish the allegations against the Plaintiffs in their respective news outlets. The spreadsheet’s metadata (pictured below) indicates that the spreadsheet’s author was “James Stafford”, and that the spreadsheet was created on September 30, 2020 and last edited October 1,

2020 — just days after the Defamatory Manifesto was first published. Further details of the Defendants’ actions in regard to anonymously hiring the Bosnian web developers, and anonymously disseminating the Defamatory Manifesto, can be found in **Appendix “E”** at section C.

Related Dates	
Last Modified	10/1/2020 4:29 PM
Created	9/30/2020 6:36 PM
Last Printed	
Related People	
Manager	None
Author	 James Stafford
Last Modified By	 James Stafford

86. Stafford and/or the other Defendants, using the email address “anesalic@protonmail.com”, sent this spreadsheet to the developers hired to assist with disseminating the Defamatory Manifesto:



Sent from ProtonMail mobile

----- Original Message -----

On 4. okt 2020. 23:17, anesalic <[anesalic@protonmail.com](mailto:anesalic@protonmail.com)> wrote:

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Sunday, October 4, 2020 10:44 AM, editormarketinvestigations <[editormarketinvestigations@protonmail.ch](mailto:editormarketinvestigations@protonmail.ch)> wrote:

Sent with [ProtonMail](#) Secure Email.

87. Despite Anson's requests, the current web host of the Defamatory Manifesto on [www.MarketFrauds.to](http://www.MarketFrauds.to) has refused to remove it. This website remains accessible on the Internet as of the date of this Amended Statement of Claim.

88. The Plaintiffs expended considerable resources in response to the Defendants' online attack, including but not limited to hiring investigators in North America and overseas, and contacting web registrars, hosts, message boards to mitigate the harm.

89. After the Plaintiffs worked with website registrars to have the Defamatory Manifesto removed from the websites described in paragraphs 81(a) through 81(i), the Defendants falsely alleged that Anson had undertaken a "Distributed Denial-of-Service" or "DDoS" attack – a type of illegal cyber attack – in order to have the Defamatory Manifesto removed, further defaming Anson. This is false: the websites were voluntarily taken down by the website hosts or registrars after Anson and/or its legal advisors advised

that the content was false and defamatory and in breach of these hosts/registrar's policies.

**(vi) *The Defendants conspire to lead widespread dissemination of the Defamatory Manifesto***

90. **On the day the Defamatory Manifesto was initially published**, September 27, 2020, "John Murphy" tweeted the first link to the Defamatory Manifesto on [www.MoezKassam.com](http://www.MoezKassam.com) – again demonstrating the involvement of the Doxtators in the Defamatory Manifesto and its proliferation. He included in his tweet the Twitter accounts of *The Globe and Mail* newspaper and BNN Bloomberg, with the aim of drawing the Unlawful Statements in the Defamatory Manifesto to their attention. From that initial tweet, the Defamatory Manifesto was reposted, shared and publicized widely around the Internet, including through social media.

91. On the same day, the Defendants anonymously sent an unsolicited email containing a link to the Defamatory Manifesto to a reporter at *The Globe and Mail* in an attempt to have the Unlawful Statements further publicized in the media. The Defendants used the email address "capitalmarketsinvestigation@protonmail.com". To further defame the Plaintiffs and in furtherance of the Conspiracy, the Defendants anonymously sent links to the Defamatory Manifesto to other journalists, news editors, and others in the business community as well.

92. The Defendants also anonymously sent unsolicited emails containing a link to the Defamatory Manifesto (along with the false and defamatory content set out below) to individuals in the financial industry (the "**Unsolicited Emails**"). One version of the Unsolicited Emails was sent from the address "info@stockmanipulators.org" with the

subject line “Hedge Fund Scandal in Canada and the U.S.: Moez Kassam and Anson Funds accused of Stealing Billions.” Another version of the Unsolicited Emails had the title “Urgent News Tip – Huge Hedge Fund Fraud in America and Canada’s Stock Markets”. These Unsolicited Emails were designed and intended to further harm the Plaintiffs and damage their reputation in the financial industry.

93. On September 28, 2020 – the day after the Defamatory Manifesto was first published – Robert texted Spektor (the contact who introduced him to Anson) the following in reference to the Defamatory Manifesto (emphasis added):

***I knew it was coming...***

***I know who wrote...***

Moez likely going [to] sue

94. On September 29, 2020, “Betting Bruiser” tweeted a link to the Defamatory Manifesto, supporting the content of the post as follows:



95. Further examples of the Unsolicited Emails sharing the Defamatory Manifesto and the Defendants' concerted effort to disseminate the Defamatory Manifesto and publish it on Twitter can be found in **Appendix "E"** at sections D and E.

**(vii) Shortly after its publication, Robert attempts to leverage the Defamatory Manifesto to extract money from the Plaintiffs and magnify his attacks**

96. In early October 2020, Kassam approached Robert for information about who was behind the Defamatory Manifesto. In those conversations, Robert sought \$75,000 from Anson in relation to the due diligence he had provided, referenced in his September 30 tweet, and aggressively suggested that far more would be needed for information regarding the Unknown Defendants. He also sought blanket immunity, indemnification and a release from Anson before he would provide assistance, clearly attempting to use purported leverage against Kassam and Anson. In particular, Robert alleged that the Unknown Defendants had promised to pay him \$250,000 to assist them, insinuating that a similar or greater amount would be needed from Anson in order for Robert to forego assisting the conspirators and/or to provide assistance to Anson.

97. In a Whatsapp chat on October 1, 2020, Robert, using the username "Betting Bruiser", sent Kassam the following messages (emphasis added):

I sent invoice for what I think you owe me ... if you don't pay it

***I can make 250k going to the other side***

And that's not owed to me ... ***that's just to help bury you. Choice is yours.***

[...]

Again ... I sent invoice for \$75k [which] I think is fair for what you owe me ... I wanna sign indemnification... then we go from there. I'll try my best to get you what you need. That's all.

98. In their Whatsapp chat on October 1, 2020, Robert also told Kassam that Stafford had procured the drafting of the Defamatory Manifesto and was paying individuals for their involvement, including Rudensky. Robert also stated that Stafford was involved in running the “hotline” or tipline to which readers of the Defamatory Manifesto could send information. Robert texted Kassam the following:

[Attachment]

That's what Stafford sent me today

That's the general game plan for part 2 [of the Defamatory Manifesto]

Rudensky for sure wrote part 1 ... Stafford was paying him to do it ... he tried to get me to talk to him ... I assume he's one running the hotline

99. By telling Kassam that Stafford “tried to get me to talk to him” for the Defamatory Manifesto, Robert falsely implied that he was not a source of the defamatory allegations, which he was. He placed blame solely on Rudensky and Stafford.

100. On October 9, 2020, Kassam informed Robert via Whatsapp chat that Anson would no longer negotiate with him given his involvement in the Conspiracy. Anson was not prepared to provide Robert with payments or a release/indemnity. In response, Robert told Kassam that he had recorded a telephone conversation between them.

101. Shortly after the message exchange on October 9, “Betting Bruiser” published a series of tweets making false, defamatory, malicious and harassing allegations against

Anson, Kassam and other individuals associated with Anson. Among other things, these tweets were in retaliation for Anson and Kassam refusing to accede to Robert's aggressive demands. "Betting Bruiser" also threatened to release the recordings that Robert purportedly made of his private conversations with Kassam. These tweets included "Betting Bruiser" wishing death on Kassam on October 9, 2020 – the Friday before Thanksgiving weekend:



102. Further examples of these tweets can be found in **Appendix "E"** at section F.

***(viii) The Defamatory Manifesto was disseminated widely online in fall 2020 and beyond***

103. The Defendants have discussed, shared and published links to the Defamatory Manifesto, and/or hired others to discuss, share and publish links to the Defamatory Manifesto on their behalf, on several other websites and Internet message boards, including but not limited to Reddit, Stockhouse, Yahoo Finance and on social media. The Defendants or their proxies shared the Defamatory Manifesto in these industry forums using anonymous accounts, many of which were created using VPNs and "burner" email accounts, for the purpose of concealing the Defendants' identities. The Defendants also made further Unlawful Statements against the Plaintiffs while publicizing links to the



Defamatory Manifesto on these specialized message boards – all designed to cause the Plaintiffs maximum harm.

104. The messages publicizing the Defamatory Manifesto on blogs or chat forums often used similar or the exact same wording as one another (but were published by different usernames), reflecting the Defendants' sophisticated and coordinated effort to anonymously disseminate the Defamatory Manifesto as widely as possible to maximize the damage caused to the Plaintiffs. Examples of messages publicizing the Defamatory Manifesto can be found in **Appendix "E"** at section G.

105. The Defendants published the Further Unlawful Stockhouse Statements – a litany of posts on Stockhouse from September 2020 and onwards – to disseminate the Defamatory Manifesto and other Unlawful Statements against the Plaintiffs. In total, over 1,000 such posts appeared on Stockhouse after September 27, 2020 (and the number of posts continues to increase as the Defendants perpetuate the Conspiracy). Many of the Further Unlawful Stockhouse Statements were published using single-purpose Stockhouse accounts, created and used predominantly or exclusively for the purpose of disseminating Unlawful Statements. To register these accounts, the Defendants often used email addresses created using [www.SharkLasers.com](http://www.SharkLasers.com), a website that provides temporary and untraceable email addresses. The Defendants also used VPNs to publish these Stockhouse posts. All of this covert behaviour was for the purpose of concealing the Defendants' identities and obscuring the scope of the Conspiracy. Further details on the Further Unlawful Stockhouse Statements can be found in **Appendix "E"** at section G.

106. Between November 2020 and March 2021, Stafford also personally published Unlawful Statements on Stockhouse using the username “ToffRaffles”, a Stockhouse account registered to james@floatingmix.com, an email address Stafford owned and uses (the “**Stafford Unlawful Stockhouse Statements**”). The Stafford Unlawful Stockhouse Statements were published in a series of Stockhouse posts via a Mexican IP address. Stafford’s website, www.OilPrice.com, has offices and/or employees in or around Mexico City. Many of the Stafford Unlawful Stockhouse Statements referred to Facedrive, one of the companies that Stafford was hired to promote and of which he owned a significant number of shares. The Stafford Unlawful Stockhouse Statements can be found in **Appendix “E”** at section H.

107. The Defendants continued to publish Further Unlawful Stockhouse Statements in March and April 2021 and beyond. Many of these were published using the “Tor” browser (which conceals a user’s Internet activity) and Stockhouse accounts registered to temporary email addresses. Since March 2021, Stockhouse accounts using the Tor browser have published nearly 600 defamatory posts about the Plaintiffs, showing the continuing effort to defame the Plaintiffs and the sophistication of the Conspiracy. Further Unlawful Stockhouse Statements published in spring 2021 had headline tags including the following:

- (a) “How Embarrassing: Another Scandal For This Hedge Fund?”;
- (b) “Looks Like These Guys Are In Trouble Again”;
- (c) “Notorious Short Selling Fund In Trouble”;

- (d) “Sunny Puri wants to know the truth – here it is Sunny Puri”;
- (e) “Canadian Hedge Fund under SEC Investigation”;
- (f) “Anson Funds under SEC Investigation – Do Unitholders know”; and
- (g) “100K Reward for info leading to conviction of Anson Funds”.

**(ix) *The Second Defamatory Manifesto and other defamatory articles***

108. On or around June 28, 2021, Stafford, Robert, Jacob and the other Unknown Defendants published the Second Defamatory Manifesto, titled “Moez Kassam & Anson Funds Part II: Rotten To The Core”, on the website [www.marketfrauds.to](http://www.marketfrauds.to). The Second Defamatory Manifesto continued the malicious attack against the Plaintiffs contained in the Defamatory Manifesto and the other Unlawful Statements, using many of the same themes. By way of example, the Second Defamatory Manifesto:

- (a) falsely alleged that the Plaintiffs were being investigated by the OSC and SEC and solicited readers to send “tips” to regulators;
- (b) claimed that Anson’s “bumper year in 2020” was due to its “destroying a fair number of companies and causing thousands of regular shareholders to lose their savings”;
- (c) called Kassam “a naked short seller whose activities are criminal and whose modus operandi is to manipulate the market and infiltrate companies to destroy them from the inside, while violating all short selling laws. He deliberately goes out of his way to ensure that companies fail”;

- (d) alleged that the Plaintiffs and *The Globe and Mail* conspired so that the newspaper “publish[es] a hit piece” on companies in which Anson has a short position; and
- (e) falsely claimed that the Plaintiffs commissioned and paid for critical media articles and critical analysis from industry analysts regarding, among other things, RECO (Reconnaissance Energy Africa Ltd.) and Facedrive.

109. As set out in **Appendix “C”**, Stafford was hired to promote and increase RECO’s stock price. *The Globe and Mail* published an article questioning the stock promotion activities and public disclosure of RECO on June 20, 2021. Viceroy Research, another investment firm, published analysis also questioning the quality of RECO assets and stock value on June 24, 2021. The Second Defamatory Manifesto was released on June 28, 2021, days after *The Globe and Mail* reporting and Viceroy Research analysis. As set out above, it is in the normal course that market participants and media look at facts and objective sources to analyse and report on different companies. Where those companies turn out to be grossly overvalued, market participants and media may publish their findings in that regard. This is part of properly functioning capital markets.

110. The Second Defamatory Manifesto included snippets of audio recordings of conversations Kassam had with Robert several years ago, which only included one side of the conversation when Kassam was speaking. Robert took these recordings without Kassam’s consent and gave them to Stafford and/or the other Defendants. The recordings were presented in the Second Defamatory Manifesto without context and in a

deliberately misleading manner in order to promote the defamatory meanings pleaded above.

111. The Second Defamatory Manifesto made numerous other defamatory allegations against the Plaintiffs, including that they manipulated stocks through social media, engaged in bribery and insider trading, commissioned DDOS attacks, filed false financial reporting, and “utilize Water boarding style trading tactics”. The Second Defamatory Manifesto accused Anson of “attacking” several companies, including Zoom, Facedrive, GSX Techedu, Genius Brands International, Gamestop, Valorem Resources, Starr Peak Mining, Whole Earth Brands, United Lithium, Mountain Valley MD Holdings, SOL Global, Clean Power Capital Corp, Red White & Bloom, Moderna, Medivolve, AMM Power, Value Line, Champignon Brands, “and many others.”

112. Several other defamatory posts were published on [www.marketfrauds.to](http://www.marketfrauds.to) in addition to the Second Defamatory Manifesto (the “**Additional Unlawful Posts**”), including posts with the following titles:

- (a) “Moez Kassam has moved over \$20 million into offshore accounts in UAE and Dubai”, on May 15 and reposted on May 19, 2021.
- (b) “Reconnaissance Energy Africa is Anson Funds next target – Illegal tactics being employed by Anson”, on May 23, 2021;
- (c) “Anson Funds short and distort campaign against Recon Africa (and Globe & Mail corruption)”, on May 31, 2021;

- (d) “Corruption at Globe and Mail – Mail sent to their staff and regulators”, on June 18, 2021; and
- (e) “Hurt by Anson Funds – the SEC wants to hear from you ASAP”, on July 21, 2021.

## **E. THE DEFENDANTS ARE LIABLE**

113. The Defendants are liable to the Plaintiffs for conspiracy, publicity that inaccurately places the plaintiff in a false light, intentional interference with economic relations, misappropriation of personality, internet harassment, and defamation.

### ***(i) The Defendants’ Tortious Conspiracy Against Anson***

114. Robert, Jacob and the Unknown Defendants conspired with one another to make and publicize the Unlawful Statements against the Plaintiffs. They formed an agreement with one another to injure the Plaintiffs, and in making the Unlawful Statements, their predominant purpose was to injure the Plaintiffs – namely, by damaging their business and reputation.

115. Moreover, the Defendants carried out the conspiracy by the unlawful means of defamation and other tortious misconduct pleaded herein.

116. The Defendants knew, or should have known, that the Unlawful Statements about the Plaintiffs and the publicity attached to them would be extremely harmful to the Plaintiffs, damaging their reputation and business.

117. The Defendants acted in furtherance of the Conspiracy by making, assisting with, participating in, and/or publicizing the Unlawful Statements, causing damage to the Plaintiffs.

**(ii) False light**

118. In addition, the Defendants are liable for placing Anson and Kassam in a false light.

119. By making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants gave publicity to very serious false allegations against Anson and Kassam that placed them in a false light. The Defendants have publicly, falsely accused Anson and Kassam of serious crimes – including fraud, insider trading and other significant breaches of applicable securities laws and regulations, as well as cyber crimes. These allegations would be highly offensive to a reasonable person.

120. In making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants knew or recklessly disregarded the falsity of the Unlawful Statements against Anson and Kassam and the false light in which they would thereby be placed.

**(iii) Intentional interference with economic relations**

121. By making, assisting with, contributing to and/or publicizing the Unlawful Statements, including through the Unlawful Stockhouse Statements, the Further Unlawful Stockhouse Statements, the Defamatory Manifesto, the Second Defamatory Manifesto, and the Additional Unlawful Posts, Robert and Jacob's Twitter accounts, and other websites, the Defendants are liable for intentional interference with Anson's economic relations.

122. The Defendants, with the intention of harming Anson's business and damaging its reputation, made a series of false, malicious, defamatory and unlawful public statements about Anson's principal, Kassam, as well as other Anson personnel, including Puri and Anson's General Counsel, Laura Salvatori. The Unlawful Statements falsely accused Kassam, and by extension Anson, of unlawful, dishonest and criminal conduct. The Unlawful Statements were published to countless market participants, including current and potential Anson investors. As a result of the Unlawful Statements, these third parties were deceived about the subject matter of the Unlawful Statements. The purpose and result of the Defendants' deceit was to harm Anson and Kassam.

***(iv) Appropriation of personality***

123. The Defendants are liable for wrongfully appropriating Kassam's personality by purchasing the domain name "www.MoezKassam.com" and using it to publicize the Unlawful Statements regarding Anson and Kassam. The Defendants also acquired the email address "info@moezkassam.com" in furtherance of the Conspiracy.

124. By using the domain name in this manner, they violated Kassam's exclusive right to use his own identity, particularly his name, causing damage.

***(v) Internet harassment***

125. The Defendants are liable for internet harassment of the Plaintiffs by writing, publishing, disseminating, and publicizing all of the Unlawful Statements – including the Unlawful Stockhouse Statements, the Further Unlawful Stockhouse Statements, the Unsolicited Emails, the Defamatory Manifesto, the Second Defamatory Manifesto, the Additional Unlawful Posts, and countless communications via social media. The



Defendants' defamation campaign against the Plaintiffs has lasted over a year to date and is ongoing, with no end in sight. They have publicized the Unlawful Statements in a wide range of Internet forums with the intent of maximizing the spread of their false and defamatory allegations.

126. In writing, publishing, disseminating and publicizing the Unlawful Statements, the Defendants maliciously or recklessly engaged in outrageous, extreme conduct that is beyond all possible bounds of decency or tolerance, causing the Plaintiffs damage. The Defendants intended to impugn the Plaintiffs' dignity and cause fear, anxiety or emotional upset in the Plaintiffs.

**(vi) Defamation**

127. Finally, the Defendants are liable for defamation for the false and highly defamatory statements made in the Unlawful Statements, including the Unlawful Stockhouse Statements, the Further Unlawful Stockhouse Statements, the Unsolicited Emails, and, ultimately, the Defamatory Manifesto (which was published multiple times, using various domain names), the Second Defamatory Manifesto, the Stafford Unlawful Stockhouse Statements and the Additional Unlawful Posts. The Doxtators are further liable for the false and defamatory statements they published about the Plaintiffs on Twitter.

**The Unlawful Stockhouse Statements are Defamatory**

128. The Unlawful Stockhouse Statements (discussed above at paragraphs 53 to 60 and in **Appendix "D"**) in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and

defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unlawful Stockhouse Statements, and without limiting the generality of the foregoing, the Unlawful Stockhouse Statements would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are corrupt, dishonest, deceptive, duplicitous and cannot be trusted;
- (b) they destroy and/or devalue companies and their shareholders through nefarious means in order to benefit financially;
- (c) they get in over their heads and are unable to control their investments/trading strategies, and/or are inept, incompetent and reckless in their investment/trading practices;
- (d) they engage in unlawful and illegal activities, including market manipulation, abusive trading practices, and securities law and/or criminal law violations;
- (e) they published or participated in the creation of false research reports for the purpose of manipulating the market; and
- (f) they ought to be investigated, including by regulators.

129. In addition to the meanings set out in paragraph 128, and in addition to its plain and ordinary meaning, the July 23 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are criminals;
- (b) they bribe and/or induce regulators through other means to ignore their unlawful and/or illegal activities;
- (c) they do not exercise proper judgment and they make poor business decisions;
- (d) they cannot be trusted with investors' funds;
- (e) they have not legitimately earned their success and goodwill;
- (f) the Anson Funds lost millions of dollars due to their reckless conduct; and
- (g) they were humiliated and desperate as a result of the losses they incurred.

130. In addition to the meanings set out in paragraph 128, and in addition to its plain and ordinary meaning, the August 14 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they caused Anson Funds to lose hundreds of millions of dollars due to their reckless conduct or ineptitude;
- (b) they were humiliated and desperate as a result of their business losses;
- (c) they ought to be avoided, as associating with them will result in harm;
- (d) they encourage or induce others to become corrupt;

- (e) they caused or contributed to the publication of misleading, false, and/or fraudulent information regarding a legitimate company;
- (f) they will be investigated and punished by regulators; and
- (g) with respect to Kassam, in particular, that he is unscrupulous, immoral and unethical.

131. In addition to the meanings set out in paragraph 128, and in addition to its plain and ordinary meaning, the August 17 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they have significantly harmed the capital markets through their unethical, unlawful, duplicitous and/or illegal conduct;
- (b) they engaged in malicious, unlawful, and targeted attacks and/or trading and other conduct to harm Aphria and its shareholders in order to increase their own wealth;
- (c) they engage in predatory, opportunistic, dishonest and unethical conduct for financial gain;
- (d) they corrupt and/or induce others to engage in or assist in improper conduct;
- (e) they unlawfully and/or improperly obtained and misused confidential/insider/material non-public information;

- (f) they provided false, fraudulent, or misleading information about Aphria for publication and dissemination to harm Aphria, and for their own gain;
- (g) they profit off the hardship and damage they cause to others;
- (h) they will be investigated and punished; and
- (i) with respect to Kassam in particular, that:
  - i. he is two-faced, a fake and a fraud; and
  - ii. he is amoral, lacks a conscience, and engages in reprehensible and antisocial conduct.

132. In addition to the meanings set out in paragraph 128, and in addition to its plain and ordinary meaning, the August 28 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they used illegal, unethical, and/or nefarious means to destroy and/or devalue the Canadian company, Zenabis, for financial gain;
- (b) they covertly or otherwise inserted a “stooge” to influence Zenabis’ decisions and/or cause the company to act against its own interests for Anson’s gain;
- (c) they exploit, induce and/or corrupt others to engage in dishonest, illegal, unlawful, and/or unethical activities on their behalf;

- (d) they coerce, deceive, or trick companies into acting against those companies own interests and/or into making poor decisions for the Plaintiffs' financial gain;
- (e) they knowingly, intentionally or recklessly encourage and/or engage in conflicts of interests for ulterior purposes;
- (f) the Anson Funds lost millions of dollars due to the reckless conduct of its principals;
- (g) they engaged in illegal and unlawful activity including securities law violations, such as insider trading and failing to disclose information as required by law; and
- (h) they will target, attack, harm and/or destroy more companies.

### **The Defamatory Manifesto**

133. The Defamatory Manifesto (discussed above at paragraphs 62 to 79 and in **Appendix "E"** at paragraphs 42 to 65) in its entirety, in its natural and ordinary meaning, including its express and implied meaning in its full context, and/or by innuendo, including in conjunction with the images contained in the Defamatory Manifesto, is false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the statements contained in the Defamatory Manifesto, and without limiting the generality of the foregoing, the Defamatory Manifesto would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam, repeatedly, intentionally and maliciously engaged in unlawful and illegal

business practices to destroy, and did destroy or cause harm to, legitimate companies and businesses, including Aphria, Zenabis and Genius Brands International (as defined in **Appendix “E”**), to increase their financial wealth. In addition, and more particularly, the Defamatory Manifesto means or would be understood to mean that Anson and its principals:

- (a) are deceptive, dishonest, deceitful, sneaky, duplicitous, immoral, unscrupulous and cannot be trusted;
- (b) lack integrity, are unethical, predatory, and corrupt;
- (c) are liars, cheats, thieves and crooks;
- (d) have not legitimately earned their success and goodwill;
- (e) are incompetent and/or inept in business;
- (f) they attempted to harm and/or destroy legitimate companies, including Tilray (as defined in **Appendix “D”**) and Facedrive, but failed due to their incompetence and/or ineptitude;
- (g) are desperate, and engage in rash, reckless and/or extreme behaviour;
- (h) engage in predatory, surreptitious and unethical business practices;
- (i) engaged in, and continue to engage in, unlawful and/or illegal activities, including securities law and/or criminal law violations, and including fraud, illegal short-selling schemes, market manipulation, abusive trading practices and insider trading;

- (j) involved other entities in their unlawful, illegal, and/or fraudulent activities;
- (k) engaged in conspiracies with other entities, including by paying for short reports and long/buy reports, in order to benefit financially;
- (l) committed, and continue to commit, crimes and/or are criminals;
- (m) are part of a criminal enterprise and/or criminal alliance;
- (n) operate their business in a manner that is contrary to applicable law and regulations;
- (o) breached, and continue to breach, securities laws and regulatory rules and policies;
- (p) unlawfully and/or illegally obtained and misused confidential/insider/material non-public information;
- (q) exploit information or resources that they have been trusted to protect;
- (r) published or participated in the creation of false research reports for the purpose of manipulating the market;
- (s) use unlawful and/or illegal means to silence critics because they have something nefarious to hide;
- (t) robbed and/or defrauded North American shareholders of millions of dollars;
- (u) harmed investors in Canada and the United States;



- (v) targeted and destroyed legitimate companies through nefarious means to increase their wealth;
- (w) made false reports to regulators and engaged in fraudulent social media campaigns to manipulate the capital markets;
- (x) inflict serious harm on the Canadian capital markets and on investors;
- (y) are involved in fraudulent activity of the kind that ought to concern authorities and regulators;
- (z) ought to be investigated, including by regulators in Canada and the United States;
- (aa) are being, have been, and/or will be investigated by regulators;
- (bb) ought to be and/or will be penalized and/or imprisoned;
- (cc) have caused, are causing, and will cause financial ruin to their partners, investors, and other capital market participants; and
- (dd) with respect to Kassam, in particular:
  - i. that he is a sociopath, engages in reprehensible and repulsive conduct, is amoral, lacks a conscience, and engages in antisocial behaviour; and
  - ii. does not exercise judgment and cannot be trusted with investors' funds.

## **The Second Defamatory Manifesto**

134. The Second Defamatory Manifesto (discussed above at paragraphs 108 to 112) in its entirety, in its natural and ordinary meaning, including its express and implied meaning in its full context, and/or by innuendo, including in conjunction with the images contained in the Second Defamatory Manifesto, is false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the statements contained in the Second Defamatory Manifesto, and without limiting the generality of the foregoing, the Second Defamatory Manifesto would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam, repeatedly, intentionally and maliciously engaged in unlawful and illegal business practices to destroy, and did destroy or cause harm to, legitimate companies and businesses in order to increase their financial wealth, including Zoom, Facedrive, GSX Techedu, Genius Brands International, Gamestop, RECO, Valorem Resources, Starr Peak Mining, Whole Earth Brands, United Lithium, Mountain Valley MD Holdings, SOL Global, Clean Power Capital Corp, Red White & Bloom, Moderna, Medivolve, AMM Power, Value Line, Champignon Brands, Madmen, and Zenabis. In addition, and more particularly, the Defamatory Manifesto means or would be understood to mean that Anson and its principals:

- (a) engaged in, and continue to engage in, unlawful and/or illegal activities, including securities law and/or criminal law violations, and including fraud, illegal short-selling schemes, market manipulation, abusive trading practices, insider trading, filing false financial reporting, and bribery;

- (b) manipulate the stock market, including through social media;
- (c) deliberately try to destroy, and in fact destroy, legitimate companies;
- (d) deliberately cause harm to ordinary shareholders, including loss of savings or investments;
- (e) conspired with media outlets to disseminate false reporting regarding legitimate companies;
- (f) ought to be investigated, including by regulators in Canada and the United States;
- (g) are being, have been, and/or will be investigated by regulators; and
- (h) ought to be and/or will be penalized and/or imprisoned.

### **Stafford Unlawful Stockhouse Statements**

135. The Stafford Unlawful Stockhouse Statements (discussed above at paragraph 106 and in **Appendix “E”** at paragraph 93) in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Stafford Unlawful Stockhouse Statements, and without limiting the generality of the foregoing, the Stafford Unlawful Stockhouse Statements would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are corrupt, dishonest, deceptive, duplicitous and cannot be trusted;

- (b) they destroy and/or devalue companies and their shareholders through nefarious means in order to benefit financially;
- (c) they engage in unlawful and illegal activities, including market manipulation, abusive trading practices, and securities law and/or criminal law violations, and conspire with others, including financial institutions, in these unlawful and illegal activities;
- (d) their unlawful and illegal conduct has ruined the market;
- (e) they published or participated in the creation of false research reports for the purpose of manipulating the market;
- (f) they are unable to control their investments/trading strategies, and/or are inept, incompetent and reckless in their investment/trading practices; and
- (g) they should be investigated, including by regulators.

### **Robert Lee Doxtator's Defamatory Tweets**

136. In addition to the foregoing and as set out below, the Defendant Robert is liable to the Plaintiffs for defamation in relation to a number of tweets he published under the username "Betting Bruiser". The defamatory tweets of which the Plaintiffs are currently aware are included as **Appendix "A"**. They include, but are not limited to, the following:

- (a) as discussed above at paragraph 51(a) an August 25, 2019 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs put out a false report "to manipulate the market so they could cover an already short position";

- (b) as discussed above at paragraph 51(b) another August 25, 2019 tweet from “Betting Bruiser” falsely alleged that the Plaintiffs had “connections to other short sellers and market manipulators” and “historically invested [in] and the death spiral the fund created to cash out their short positions”;
- (c) as discussed above at paragraph 51(c), on August 26, 2019, “Betting Bruiser” published several tweets falsely alleging that the Plaintiffs used a representative on Zenabis’ Board of Directors, Adam Spears, to negatively influence the company’s business decisions, reduce its share price and provide them with inside information/material non-public information;
- (d) as discussed above at paragraph 51(d), a subsequent tweet on August 26, 2019 alleged that Spears was “recording conversations of [Zenabis] management and executives in hopes of Anson blackmailing or using the info for the detriment of the company”;
- (e) as discussed above at paragraph 94, a September 29, 2020 tweet from “Betting Bruiser” falsely alleged that the Plaintiffs use “tactics” that “are simply sleight of hand with the gift of gab”;
- (f) as discussed in **Appendix “E”** at paragraph 80, in a subsequent tweet on September 30, Robert alleged that the Plaintiffs “use people and don’t pay anyone but themselves”;
- (g) as discussed above at paragraph 101 and in **Appendix “E”** at paragraph 83, on October 9 Robert published a series of tweets, falsely alleging a

“toxic financing deal” involving Anson’s legal counsel, that Anson Funds investors ought to “be prepared to have [their] funds locked up” given the information indicating “scams to benefit...Kassam” and allegations “he broke the law”, threatening to “speak to regulators about Anson Funds” to collect a reward, and falsely alleging that the Plaintiffs pay Ben Axler;

- (h) as discussed in **Appendix “E”** at paragraph 87, on October 30, Robert published tweets alleging that Kassam is “running scared from recent reports about his tactics” and “the scum of the earth”, and that he has others do “his dirty work for him”.

137. These tweets, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the plain and ordinary meaning of each of the tweets, they would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) are liars, are dishonest, duplicitous, immoral, deceptive, unscrupulous, unethical, sneaky, and cannot be trusted;
- (b) engage in unlawful and illegal conduct, including securities law and/or criminal law violations, and including insider trading, market manipulation, abusive trading practices and fraud; and
- (c) destroy legitimate businesses through nefarious means for their financial gain.

138. Additionally, the October 9 series of Tweets, in addition to their plain and ordinary meaning, would lead readers to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) ought to be and will be investigated, including by regulators; and
- (b) will cause harm to their investors.

### **Jacob Doxtator's Defamatory Tweets**

139. In addition to the foregoing and as set out below, the Defendant Jacob is liable to the Plaintiffs for defamation in relation to a number of tweets he published using the alter-ego named "John Murphy" with the username @JohnMur67039142, which are, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. The defamatory tweets of which the Plaintiffs are currently aware are included as **Appendix "B"**, and include, but are not limited to, the following:

- (a) as discussed in **Appendix "E"** at paragraph 28, an August 14, 2020 retweet falsely claimed that Anson was behind the Hindenburg Research report regarding Aphria, included a picture of Kassam, and stated "how dirty moez hurt his business partner [sic] and lied to the founders of \$apha [Aphria]. On the same day Jacob also tweeted that Kassam had "paid for negative promotions" regarding Facedrve, Aphria, Tilray "and many more". In addition to the plain and ordinary meaning of these tweets, the tweets

would lead a reasonable reader to conclude that Anson and its principals, including Kassam:

- i. are corrupt, dishonest, deceitful, deceptive, duplicitous, and cannot be trusted;
  - ii. engaged in malicious, unlawful, and targeted attacks to harm legitimate companies and their shareholders; and
  - iii. provided false, fraudulent, or misleading information about legitimate companies (including Aphria, Facedrive and Tilray) for publication and dissemination to harm them;
- (b) as discussed above at paragraph 64, a September 10, 2020 tweet stated that regulators should scrutinize Anson and Kassam: “these reverse pump and dumps must be watched more closely by the regulators. moez [sic] and his band fund these trades every week...” In addition to the plain and ordinary meaning of the tweet, the tweet would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
- i. engage in unlawful and illegal activities, including securities law violations; and
  - ii. ought to be investigated, including by regulators;
- (c) as discussed above at paragraph 65 and in **Appendix “E”** at paragraph 79, a September 12, 2020 tweet alleged “anson [sic] is a very corrupt cad fund



nake [sic] shorting many small cap co's and when they get in trouble / want to cover they pay groups like @HindenburgRes to say the co is a fraud and going to zero. how many zeros have they called. the bottom is normally around when the piece comes out". On September 29, he added, "big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]". In addition to the plain and ordinary meaning of these tweets, the tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:

- i. are corrupt, reckless and dishonest; and
  - ii. provide false, fraudulent, or misleading information about legitimate companies to harm those companies and benefit themselves; and
- (d) as discussed in **Appendix "E"** at paragraphs 78 and 82, two September 29, 2020 tweets included a link to the Defamatory Manifesto, and stated: "stockmanipulators.com. Cyber crimes added to the list of wrongdoings by @AnsonGroupFunds ? who funded this defense? Unit holders?", and "sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$shrm many more"." In addition to the plain and ordinary meaning of these tweets, these tweets

would lead a reasonable reader to conclude that Anson and its principals, including Kassam:

- i. engage in illegal and unlawful activities, including criminal law violations and are criminals;
- ii. are dishonest and deceptive; and
- iii. misuse investor funds, including for their personal benefit.

140. Jacob is also liable for using the “John Murphy” Twitter account to re-tweet other Twitter users’ false and defamatory statements about the Plaintiffs.

### **The Unsolicited Emails are Defamatory**

141. As discussed above at paragraph 92 and in **Appendix “E”** at paragraphs 73 to 75, the Defendants anonymously sent Unsolicited Emails regarding the Plaintiffs. The Unsolicited Emails, in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unsolicited Emails, and without limiting the generality of the foregoing, the Unsolicited Emails would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals, including Kassam:

- (a) they engage in wrongdoing, unlawful, illegal, and unethical conduct, including securities law and/or criminal law violations, insider trading, market manipulation, abusive trading practices, fraud and cybercrimes;

- (b) they destroy legitimate businesses through nefarious means;
- (c) they have robbed shareholders of billions of dollars;
- (d) they are dishonest and cannot be trusted; and
- (e) they are criminals.

142. The Plaintiffs have not seen all of the Unsolicited Emails or any of the emails in their entirety and reserve their right to amend this pleading to add additional meanings and/or claims once they are discovered.

### **The Defendants were Malicious**

143. The Defendants acted with malice: they made, assisted with, participated in and/or publicized the Unlawful Statements, knowing that the Unlawful Statements were false or misleading and/or while intentionally, recklessly or callously disregarding their falsity and the harm that the allegations would do to the Plaintiffs. They acted for the predominant purposes of harming the Plaintiffs, including in pursuit of their animus and vendetta against the Plaintiffs. Examples of the Defendants' malicious conduct include the following:

- (a) the Defamatory Manifesto, the Second Defamatory Manifesto, the Additional Unlawful Posts and other Unlawful Statements solicited readers to confidentially provide additional material for future Defamatory Manifestos;
- (b) the Second Defamatory Manifesto is nearly 10,000 words – even longer than the original Defamatory Manifesto – and repeated and/or amplified

many false and defamatory allegations contained in the Defamatory Manifesto and other Unlawful Statements, and/or elaborated on those allegations and made new and additional false and defamatory allegations against the Plaintiffs;

- (c) Stafford, Rudensky and Robert specifically targeted and maliciously intended to cause harm to the Plaintiffs by writing, publishing, disseminating, and/or procuring the writing, publishing and dissemination of the Defamatory Manifesto and the Second Defamatory Manifesto, including, for Stafford, because of his financial interest in Facedrive and/or RECO. Stafford was directly or indirectly hired to promote these companies and owned a significant number of their shares, and he publicly falsely accused Anson of hiring market participants and media to publish critical commentary on these companies using fabricated material. In fact, market participants and media analysed these companies, using publicly available information, because the companies' inflated share prices were grossly disproportionate to their fundamental value. In well functioning capital markets, it is in the normal course for market participants to comment critically on overvalued companies, and to discuss, share and comment on research, due diligence and investment theses with one another;
- (d) the Defendants' continuous and ongoing efforts to draw the Unlawful Statements to the attention of regulators and the media; and

- (e) in addition to publishing the Unlawful Stockhouse Statements in summer 2020, from fall 2020 and continuing to at least spring 2021, the Defendants published, hired others to publish or otherwise procured the publishing of, over 1,000 Further Unlawful Stockhouse Statements, which repeated, amplified and/or elaborated on the false and defamatory allegations contained in the Unlawful Stockhouse Statements, the Defamatory Manifesto, and other Unlawful Statements, and significantly increased the likelihood that such allegations would be re-published by others, as set out below. Stafford also published the Stafford Unlawful Stockhouse Statements using the username “ToffRaffles” between November 2020 and March 2021.

144. The Defendants repeatedly published the Unlawful Statements on various websites and through various means, including through the Unlawful Stockhouse Statements, the Further Unlawful Stockhouse Statements, the Unsolicited Emails, the Defamatory Manifesto, the Second Defamatory Manifesto, the Additional Unlawful Posts, and the tweets described above, in an attempt to publish them to the widest audience possible and cause the greatest possible commercial and emotional harm to the Plaintiffs.

**The Defendants are liable for republication of the Unlawful Statements**

145. The Defendants are also liable for republication of all of the Unlawful Statements, which was a natural and probable result of the Unlawful Statements given, among other things, the volume of Unlawful Statements published and publicized by the Defendants. In fact, the Defendants actively encouraged republication of the Defamatory Manifesto

and Second Defamatory Manifesto, both in the text of the Defamatory Manifesto and Second Defamatory Manifesto themselves, and in Robert's and Jacob's tweets sharing the Defamatory Manifesto. Many of the nearly 1,000 Further Unlawful Stockhouse Statements also actively encouraged the republication of the Defamatory Manifesto and/or other Unlawful Statements. Republications of the Defamatory Manifesto and Second Defamatory Manifesto currently remain online.

#### **F. DAMAGES**

146. The Defendants' conduct has caused substantial damage to the Plaintiffs' business and reputations. The Unlawful Statements have been widely distributed and publicized and have been viewed by thousands of people to date. Versions of the Defamatory Manifesto and the Second Defamatory Manifesto remains widely available on the Internet. The Unlawful Statements have significantly interfered with and disrupted the Plaintiffs' business and affairs and their relationship with clients, counterparties, and potential investors, leading to a loss of business opportunities.

147. Moreover, the Plaintiffs have incurred significant costs and spent a significant amount of time investigating who is behind the Conspiracy and in seeking to have the Unlawful Statements removed from various websites.

148. As mentioned above, Anson has also received threatening telephone calls to its offices because of the Unlawful Statements.

149. Particulars regarding damages will be provided in advance of trial.

150. The Plaintiffs also seek an interim, interlocutory and permanent injunction restraining the Defendants from publishing further unlawful and defamatory statements about the Plaintiffs. As noted above, despite Anson's diligent attempts to have the Defamatory Manifesto and Unlawful Stockhouse Statements removed from the Internet, the Defendants persist in acquiring new websites to publish and disseminate the Defamatory Manifesto, the Second Defamatory Manifesto and Additional Unlawful Posts; in repeating the Unlawful Statements and publicizing the Defamatory Manifesto and Second Defamatory Manifesto through social media, including Twitter; and in publishing the Further Unlawful Stockhouse Statements, which publicized and disseminated the Defamatory Manifesto, Second Defamatory Manifesto and other Unlawful Statements. In addition, the Defendants threatened the release of two additional "Parts" to the Defamatory Manifesto. They have released one additional "Part", the Second Defamatory Manifesto, as well as the Additional Unlawful Posts about the Plaintiffs. This conduct has caused, is causing, and will continue to cause irreparable harm to the Plaintiffs' business and their reputations. This nonstop game of "whack-a-mole" cries out for a remedy.

151. Finally, the Defendants are liable for aggravated and punitive or exemplary damages. The Defendants maliciously and intentionally caused harm to the Plaintiffs through the repeated and coordinated and continuing publication, and broad online dissemination, of the Unlawful Statements. Further, Robert attempted to obtain significant payments and other benefits to purportedly assist Anson, which Anson refused. The Defendants knew, and in fact intended, that serious harm would result from their unlawful conduct.

152. The Defendants executed a coordinated, malicious campaign to spread lies about the Plaintiffs and damage their business, including attempting to reach the attention of securities regulators such as the OSC, the SEC, and IIROC. The Plaintiffs believe that the Defendants intended to cause them to become the subject of regulatory inquiries or investigations on the basis of these false and misleading allegations. Such inquiries or investigations would result in serious and irreparable reputational harm, and in addition would force the Plaintiffs to divert significant time, financial and other resources, and management attention, towards addressing any such inquiries or investigations. The Defendants also took steps to attract media attention to the Unlawful Statements in an attempt to further publicize them. The Defendants acted in a high-handed, malicious, arbitrary and/or highly reprehensible manner, as set above, which constitutes a marked departure from ordinary standards of decent behaviour. The Defendants' conduct requires the sanction of the Court.

153. The Plaintiffs propose that this action be tried at Toronto.

154. The Plaintiffs rely on the *Libel and Slander Act*, R.S.O. 1990, c. L.12 and the *Courts of Justice Act*, R.S.O. 1990, c. C.43, s. 101.

155. This pleading may be served outside of Ontario without a court order pursuant to Rules 17.02(g), (i) and (p) of the *Rules of Civil Procedure* because this proceeding relates to a claim or claims in respect of one or more torts committed in Ontario, seeks an injunction ordering a party to do or refrain from doing anything in Ontario, and is against one or more persons ordinarily resident or carrying on business in Ontario.



December 17, 2020

Amended on November 22, 2021

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Lawyers for the Plaintiffs

## APPENDIX "A" – "Betting Bruiser" Tweets

**Betting Bruiser**  
@BettingBruiser

Month ago the market listened to the 'Friendly Bear' put out a bullshit short report on [\\$HEXO](#).

The Bear is controlled and ran by Moez Kassam & Sunny Puri of Anson.

They put out the report to manipulate the market so they could cover an already short position. [#Potstocks](#)

**Moez**


It's not a fund 11:05 AM

It's me 11:05 AM

Just the guy we use to write 11:05 AM

If the bar is high enough 11:0

He doesn't want to get sued 11:06 AM



**HEXO**



**Is Hexo The Next CannTrust? Snapchat Advertising May Run Afoul of Health Canada**

**Hexo, pot investors shrug off Friendly Bear short-seller report**

Kristina O'ram, Bloomberg News


10:54 AM · Aug 25, 2019 · Twitter for iPhone

9 Retweets 2 Quote Tweets 49 Likes



**Betting Bruiser** @BettingBruiser · Aug 25, 2019  
Replying to @BettingBruiser

I'm going spend the next week exposing the Anson fund connections to other short sellers and market manipulators. Which [#Potstocks](#) has the fund has historically invested and the death spiral the fund created to cash out their short positions.

**@LamboJohnny**

Just bumped into Moez head of  
Anson Fund. He owns over 15% of

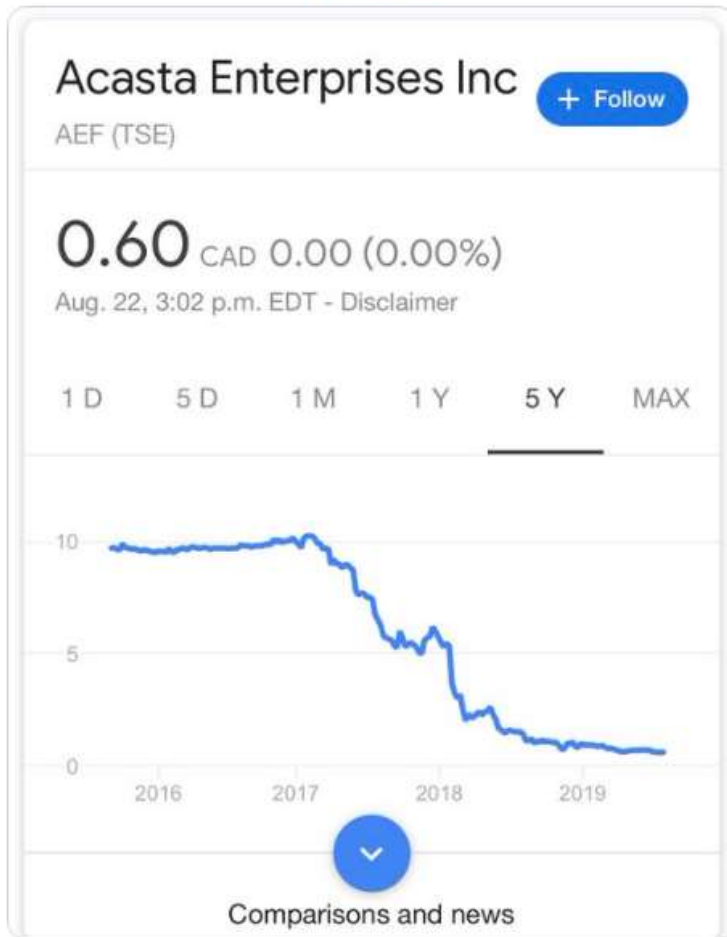




**Betting Bruiser**  
@BettingBruiser

Replying to @BettingBruiser

It's always a similar result ... yet Anson Funds still makes money hand over fist... #Potstocks



4:00 PM · Aug 25, 2019 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @LamboJohnny and @LaurenceJeuness

Right about what? That's Anson doesn't appear on Sedi as insider. No they don't and that's part of the problem. In cases were they have former managers as "independent" directors how are they not insiders?

4:52 PM · Aug 25, 2019 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Aug 25, 2019

Hey @LamboJohnny if this is true ... why don't we see Anson Funds name come up as being escrowed on Sedi for owning more than 10%? I don't see Moez name either ... Anson not on any SEDI filing since 2016 for [SSOL](#) [#Potstocks](#) [twitter.com/LamboJohnny/st...](#)

This Tweet is unavailable.



6



14



**Betting Bruiser** @BettingBruiser · Aug 25, 2019

Oh they have converts ... that they use to cover their short positions without suspecting retail investors ... creating any visible cover or tripping any insider trading reports... why not listed on Sedi? Cause they using the same convert scheme they use with everyone else!




1



4




**Betting Bruiser**  
@BettingBruiser

A lot DM's about \$ZENA & Anson Funds.

Anson Funds holds a boatload of converts in \$ZENA that they are using to cover their short position.

They've had a direct hand creating chaos within management decisions. Including the listing price. How so? Anson representative! #Potstocks



**Adam Spears**  
**Independent Director**

- Founder of ace148, an investment company
- Was a Principal and Portfolio Manager at Anson Funds where he managed multiple long-short equity hedge funds
- Also worked in private equity at ONCAP Management Partners, and in the investment banking group of Citigroup Global Markets

9:09 AM · Aug 26, 2019 · Twitter for iPhone

4 Retweets 4 Quote Tweets 35 Likes

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
Replying to @BettingBruiser

The entire problems relating to the former CEO leaving, taking the [\\$TLRY](#) deal and now death spiral financing. Was in relation to [\\$ZENA](#) attempting to limit Anson's ability to cover and manipulate the share price down further. The current [\\$ZENA](#) CEO is out of league. [#Potstocks](#)

 3  1  15  

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019

[\\$TLRY](#) themselves wanted to offer a helping hand. As that company is the only successful [#Potstocks](#) to date to squeeze Anson Funds for a loss to my knowledge. Despite Anson Funds getting [@CitronResearch](#) to pump out as many [\\$TLRY](#) short pieces it possibly could. [#Potstocks](#)

 2  2  20  

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019

I'd love to talk to the [@CEO\\_Zenabis](#) to try to help... but it may be a case of to little to late ... CEO wants to convert all debts to a bank loan... that's a start but expect Anson Funds to fight tooth and nail against that. Their independent director acts for Anson. [#Potstocks](#)

 3  1  18  

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019

As in the case with [\\$HEXO](#) ... I wouldn't doubt that Adam is recording conversations of [\\$ZENA](#) management and executives in hopes of Anson blackmailing or using the info for the detriment of the company. Adam needs to be removed. [#Potstocks](#)

   14  

 **Chris Rutherford** @RutherfordCG · Aug 26, 2019  
Replying to @BettingBruiser

How is it legal for Adam to be on the board and do what this guy is doing? It's not in the best interests of [@Zenabis](#) obviously. [@CEO\\_Zenabis](#)

 1    

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019

No it's not ... like [\\$AEF](#) Anson will argue that they acting in best interest of the shareholder ... all a guise ...











**Betting Bruiser**  
@BettingBruiser



The biggest chicken hawk that I've ever met in my life.  
Every time I see him we have words.

Sunny Puri from Anson Funds.

If you've ever crossed paths with him then your stock is  
likely -95% from its high and he holds your faint in his  
hands via convertible debt. [#PotStocks](#)



11:11 AM · Mar 11, 2020 · Twitter for iPhone

4 Retweets 39 Likes



**Betting Bruiser**  
@BettingBruiser

...

Watch "Moez Kassam" from Anson Funds on [#Vimeo](#) give short sellers a bad name. Cringe worthy. I think that's filmed at [@DeFrancesco\\_A](#) house in the Muskoka? [vimeo.com/140274640](https://vimeo.com/140274640) [#PotStocks](#)



Moez Kassam

This is "Moez Kassam" by Charles Chan on Vimeo, the home for high quality videos and the people who love them.  
[vimeo.com](https://vimeo.com)

1:54 PM · Jul 2, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to [@BettingBruiser](#)

Director: Rick Brar former CEO & Co-Founder of [@Zenabis](#) [\\$ZENA](#)

Secretly gave Anson Funds a share loan agreement so they could short [\\$ZENA](#) to the dismay of retail investors. Upon finalizing that he aggressively dumped all his shares. [\\$ZENA](#) -98%. \$2.25 to \$0.08 [#PotStocks](#)  
2/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @BettingBruiser

Director, President and Co-Chief Executive Officer, Chief Financial Officer: Eli Dusenbury

A rent a CFO whoms main gig was a CFO of #PotStocks Company \$ISOL @isodiol. Ankther company directly involving Anson Funds. Another company which has seen a 98% fall in share price. 8/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

▼

I have been a early voice of concern re: Moez Kassam, Sunni Puri & Anson Funds. Their tactics are simply sleight of hand with the gift of gab. I know their strategies very well this article shed some light on them. #PotStocks



Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure  
[moezkassam.com](https://moezkassam.com)

9:43 AM · Sep 29, 2020 · Twitter for iPhone

8 Retweets 2 Quote Tweets 63 Likes



**Betting Bruiser**  
@BettingBruiser



Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don't pay anyone but themselves. [\\$ZENA](#) [\\$APHA](#) [#PotStocks](#)

11:08 AM · Sep 30, 2020 · Twitter for iPhone

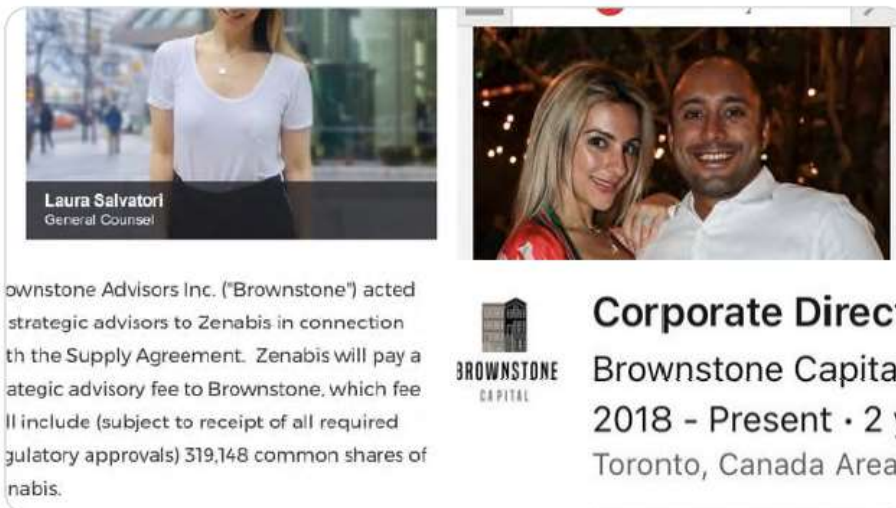
2 Retweets 28 Likes





**Betting Bruiser**  
@BettingBruiser

One thing that was left out of the [\\$ZENA](#) and Anson Funds report was fact that Anson's funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between [\\$ZENA](#) & [\\$TLRY](#) ... conflict of interest much? [#Potstocks](#)



1:50 PM · Oct 9, 2020 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Oct 9

Replying to @BettingBruiser

Hi Laura 🙌 ... cause I know you follow every tweet I speak about Anson ... I thought I'd give you a shoutout! [\\$ZENA](#) [\\$TLRY](#) [#PotStocks](#)



4



38



**Betting Bruiser** @BettingBruiser · Oct 9

If you r an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot information floating out there that paints a picture of scams to benefit none other then Moez Kassam. [\\$ZENA](#) story is just one of hundreds were its alleged he broke the law. [#PotStocks](#)



4



32





**Betting Bruiser**  
@BettingBruiser



Maybe I should speak to regulators about Anson Funds  
and collect the reward in 50 years ....

Or should I just leak snippets of recorded conversations  
with Moez Kassam?

Thoughts? [#PotStocks](#)



2:17 PM · Oct 9, 2020 · Twitter for iPhone

6 Retweets 1 Quote Tweet 83 Likes



**Betting Bruiser**  
@BettingBruiser



I think I'm going release some of the recordings about Moez Kassam ... just interested how much money Anson pays Ben Axler from [@sprucepointcap](#) ... you care to comment Ben?

"You know what's gonna happen"

14:47

"A lot of times if I'm working with Ben (Axler) or doing this kind of stuff (shorts) than **we can create our own catalysts right because we're putting out a report**"

"So I know when stuffs gonna go down and I'll buy puts"

3:19 PM · Oct 9, 2020 · Twitter for iPhone

3 Retweets 2 Quote Tweets 64 Likes



**Betting Bruiser**  
@BettingBruiser



Everyone have a good long weekend expect for Anson Funds Moez Kassam .... he can choke on a wishbone!  
[#PotStocks](#)

4:55 PM · Oct 9, 2020 · Twitter for iPhone

4 Retweets 1 Quote Tweet 105 Likes





**Betting Bruiser**  
@BettingBruiser

...

Has Anson Funds and/or MMCAP name all over it.  
\$VIVO #PotStocks



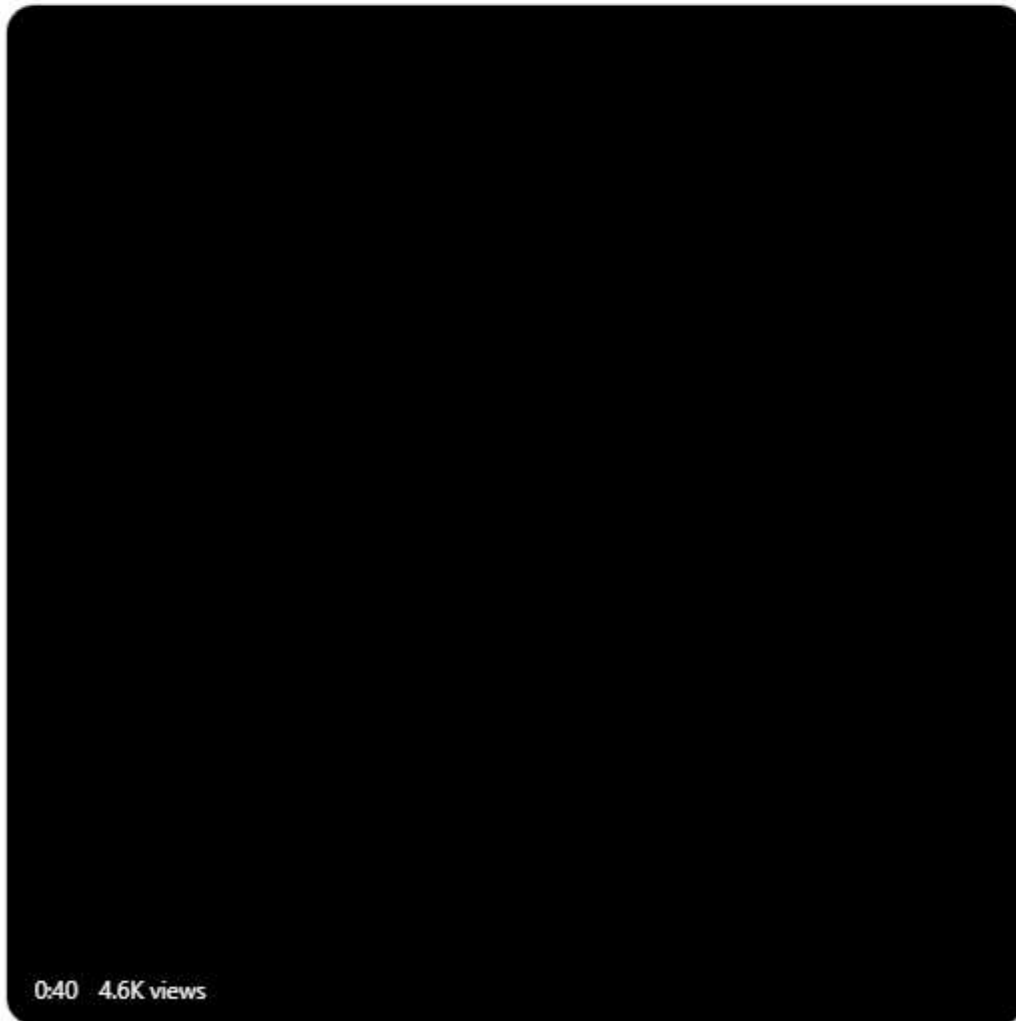
8:33 AM · Oct 16, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser



This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is scum of the earth.



10:50 AM · Oct 30, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

Replying to @BettingBruiser

He doesn't have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying @sprucepointcap @CitronResearch @FriendlyBearSA and others ... why did you block me Ben Axler ... is it the fact your Moez Kassam lapdog?



10:55 AM · Oct 30, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser



Happy Halloween to the [#PotStocks](#) community!

Trick or Treat:

Who is going to toilet paper Moez Kassams house tonight? [\\$ZENA](#) executives should just throw stock as it's cheaper then toilet paper!



12:48 PM · Oct 31, 2020 · Twitter for iPhone

## APPENDIX “B” – “John Murphy” Tweets





**John Murphy** @JohnMur67039142 · Jul 24

@MunchingMoez #ansonfunds, paid for the report as they were caught offside. rumours off 900k in the single digits. called in a favor and doubled down @HindenburgRes moez was telling ppl it was going to 6.00. even called prop desks wanting them to short



**John Murphy**  
@JohnMur67039142



it seems moez and sunny from @AnsonGroupFunds @MunchingMoez @HindenburgRes @globeandmail @davidmilstead quickly blocked me by suggesting they were short 1mm \$FD. i think much more will come out on this trade. @business @BNNBloomberg



**John Murphy** @JohnMur67039142 · Jul 28

Looks like @facedrivecanada \$FD is going higher @HindenburgRes @AnsonGroupFunds finance.yahoo.com/news/400-tesla...

7:41 PM · Jul 30, 2020 · Twitter for iPhone



**John Murphy** @JohnMur67039142 · Aug 14

@HindenburgRes @BNNBloomberg @AnsonGroupFunds this story will be all over the street within months. how dirty **moez** hurt his business parnter and lied to the founders of Sapha. @LamboJohnny @BettingBruiser



**MDeCicco** @MDeCicco\_ · Aug 14

Hey @MunchingMoez. Can you confirm/deny? The word around is that you were the source of the @HindenburgRes Short Attack on @aphriainc, to cover HUGE losses on \$TLRY

[Show this thread](#)



5



**John Murphy** @JohnMur67039142 · Aug 14

**SFD** #moezkassam paid for negative promotions on **SFD Sapha \$tlry** and many more. was this disclosed by publisher? @AnsonGroupFunds @HindenburgRes @BNNBloomberg @BettingBruiser \$tlry Sapha #shortsellers @IIROInfo



**Stockhouse.**

Just read this on Yahoo: short seller Moez Kassam go...  
Just read this on Yahoo: short seller Moez Kassam got BURNED

[stockhouse.com](https://stockhouse.com)

1



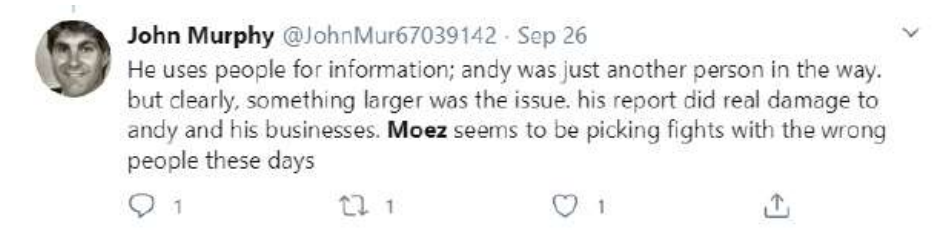
1











3:47 PM · Sep 27, 2020 · Twitter for iPhone

Jim Retweeted



**John Murphy** @JohnMur67039142 · 27 Sep

8 Capital's [#tradertonny](#), plays right into the stereotype of a [#WallStreet](#) trader. i think his compliance might have some questions about the recommendations that he has been putting out.... [#viiicapital](#)  
[@MunchingMoez](#) [stockmanipulators.com/moez-kassam-an...](https://stockmanipulators.com/moez-kassam-an...)



1 retweet 1 like



**John Murphy** @JohnMur67039142 · Sep 29

sounds like [#moez](#) attacked the site where the [@AnsonGroupFunds](#) report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for [@MunchingMoez](#) [@davidmilstead](#) \$apha \$fd \$gfi \$shrm many more

3 replies 1 like



**John Murphy** @JohnMur67039142 · 15m

spicy. stinks something awful !!! [#handsomefunds](#) [#dirtymoez](#)  
[#moezkassam](#) [@AnsonGroupFunds](#) [@LamboJohnny](#) [@QTRResearch](#)  
[@weedstreet420](#) [@ddale8](#)



**John Murphy** @JohnMur67039142 · Sep 27

i wonder if this slows down his extravagant dinners that he posts every night. sean kallir from HGC seems to be in attendance often. [moez](#)'s new member. special shout out to [#tradertonny](#) from 8capital. love the pics

1 like



**John Murphy** @JohnMur67039142 · Sep 29

big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. **anson** does both!



**John Murphy**  
@JohnMur67039142



Home [stockmanipulators.com](https://stockmanipulators.com). Cyber crimes added to the list of wrongdoings by @AnsonGroupFunds ? who funded this defense? unit holders? @davidmilstead @globeandmail @thomasg\_grizzle

7:52 AM · Sep 29, 2020 · Twitter for iPhone



**John Murphy** @JohnMur67039142 · Sep 30

chatter is \$300k-400 for that report. a deep audit of **anson's** books might help.



**John Murphy** @JohnMur67039142 · Sep 30



Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response. we are waiting @MunchingMoez [ansonfunds.com/wp-content/upl...](https://ansonfunds.com/wp-content/upl...) @QTRResearch @BettingBruiser @LamboJohnny @weedstreet420 @davidmilstead







**John Murphy** @JohnMur67039142 · Oct 30

first this seems staged. but interesting how he discusses spending corp funds/ investor monies to defend his name and their toxic strategies.

@LamboJohnny @QTRResearch @weedstreet420 @BNNBloomberg  
@JeffKehoeOSC



**Betting Bruiser** @BettingBruiser · Oct 30

This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is scum of the earth.

[Show this thread](#)

0:35 4.6K views



1



1



3



## **APPENDIX “C” – James Stafford**

### **A. Stafford’s Background**

1. In his capacity as a stock promoter, Stafford has been involved in numerous pump and dump securities schemes, including several of the companies mentioned in the Unlawful Statements. Stafford’s role in such schemes is to disseminate via the Internet sensationalist and misleading information regarding his clients (usually publicly traded issuers) with the intention of increasing – artificially and often temporarily – the trading volume and price of securities of the company. Those who sell shares in the company while the stock price is inflated – including proponents of the pump and dump scheme – enjoy significant profits, whereas unsophisticated investors (often retail investors) are habitually faced with significant losses when the share price declines back to its intrinsic value. This is also known as the “pump and dump”.

2. While Stafford’s articles on [www.OilPrice.com](http://www.OilPrice.com) purport to be – and are intentionally designed to appear as – objective news reports, they are promotional materials. Stafford is often directly paid for his articles on [www.OilPrice.com](http://www.OilPrice.com) in cash or shares by the companies whose securities he is promoting. As such, he often owns securities in the company at issue and is incentivized to increase both their trading price and volume. The disclaimers attached to the bottom of Stafford’s articles on [www.OilPrice.com](http://www.OilPrice.com) acknowledge this and specifically acknowledge the temporary effects of his pump and dump scheme.

3. The following is a typical example of the disclaimers attached to Stafford’s articles. It appeared at the bottom of an article titled “Is This The Hottest Oil Play Of The Year”,



published January 14, 2021 regarding RECO. It acknowledges that Stafford and/or his companies were paid \$70,000 to write a single article, and that they own shares in RECO:

**ADVERTISEMENT: This communication is not a recommendation to buy or sell securities. OilPrice.com, Advanced Media Solutions Ltd., and their owners, managers, employees, and assigns (collectively the “Company”) have been paid by [RECO] seventy thousand U.S. dollars to write and disseminate this article. As the Company has been paid for this article, there is a major conflict with our ability to be unbiased, more specifically:**

**This communication is for entertainment purposes only.** Never invest purely based on our communication. We have not been compensated but may in the future be compensated to conduct investor awareness advertising and marketing for [RECO]. Therefore, this communication should be viewed as a commercial advertisement only. We have not investigated the background of the company. **Frequently companies profiled in our alerts experience a large increase in volume and share price during the course of investor awareness marketing, which often end as soon as the investor awareness marketing ceases.** The information in our communications and on our website has not been independently verified and is not guaranteed to be correct.

**SHARE OWNERSHIP: The owner of Oilprice.com owns shares of this featured company and therefore has an additional incentive to see the featured company’s stock perform well.** The owner of Oilprice.com will not notify the market when it decides to buy more or sell shares of the issuer in the market. The owner of Oilprice.com will be buying and selling shares of the issuer for its own profit. This is why we stress that you conduct extensive due diligence as well as seek the advice of your financial advisor or a registered broker-dealer before investing in any securities. [Bolded emphasis added.]

**B. Stafford’s Animus Towards the Plaintiffs**

4. Stafford was hired, directly and/or indirectly, to promote, and artificially inflate the volume and/or price of, Facedrive shares using his website, www.OilPrice.com. Since March 2020, Stafford and/or his companies have published over seventy sensationalist posts about Facedrive (a full list is set out in Section D of this Appendix), with titles including “Could This Be One Of The Best Ways To Play The EV Boom This Summer?”

and “The \$110 Trillion Trend That Bezos, Buffett And Musk Are Betting On”. The public disclosure on [www.OilPrice.com](http://www.OilPrice.com) stated that:

- (a) Stafford and/or his companies “signed an agreement [with Facedrive] to be paid in shares to provide services to expand ridership and attract drivers in certain jurisdictions outside Canada and the United States” – although, in fact, Stafford and/or his companies was hired for stock promotion purposes;
- (b) Stafford “has acquired additional shares of FaceDrive...for personal investment” and that, as a result, Stafford and/or his companies have “a substantial incentive to see the featured company’s stock perform well”; and
- (c) [www.OilPrice.com](http://www.OilPrice.com)’s purported articles about Facedrive “**should be viewed as a commercial advertisement only. We have not investigated the background of the featured company. Frequently companies profiled in our alerts experience a large increase in volume and share price during the course of investor awareness marketing, which often end as soon as the investor awareness marketing ceases**” (emphasis added).

5. The [www.OilPrice.com](http://www.OilPrice.com) disclosure does not, on its own, identify how much Stafford was paid. Many readers of [www.OilPrice.com](http://www.OilPrice.com), particularly unsophisticated ones, would not have realized that the website was hired to promote Facedrive stock, and was not providing objective news and analysis about the company.



6. In total, Stafford directly and indirectly, at one point in time, owned up to approximately 1.5 million shares in Facedrive, some of which he received as compensation for stock promotion, and some of which he purchased on the open market. As a result, Stafford had a significant incentive to ensure that Facedrive's share price appreciated and remained artificially inflated. One and a half million shares of Facedrive would have been worth approximately \$90 million at Facedrive's all-time high share price of \$60 and are worth approximately \$3 million at the current share price of approximately \$2 (assuming Stafford held his shares).

7. These incentives gave Stafford the impetus to engage in the Conspiracy and spread Unlawful Statements about the Plaintiffs. Given Stafford's financial interest in Facedrive, he has an incentive to diminish and disparage critical commentary about Facedrive, published by market participants or other observers, which questions the intrinsic value of the company. On July 23, 2020, Hindenburg Research published critical research findings about Facedrive. Later that evening, the first Unlawful Statements about the Plaintiffs were published on Stockhouse.

8. Part of Hindenburg Research's critical findings about Facedrive related to a firm named Medtronics Online Solutions Ltd. ("**Medtronics**"). Facedrive, a ride-share start-up, publicly claimed that it had hired Medtronics for the purpose of broadening its ridership. Hindenburg Research's critical findings included that Medtronics was controlled by Stafford; that Medtronics was in fact a shell company that obfuscated its true purpose; and that Stafford, via Medtronics, had actually been hired to promote Facedrive's stock, not broaden ridership. Pursuant to a consulting services agreement, Facedrive was to pay Medtronics 800,000 in shares for the alleged services through a monthly fee (worth

roughly \$8 million at the time the agreement was press released by Facedrive; see also **Appendix “E”**, paragraph 45 below, where Robert indicated that Stafford was paid \$8 million to promote Facedrive). On September 9, 2020, Facedrive terminated the consulting services agreement and was of the opinion that the obligations under the agreement had been fulfilled. On November 27, 2020, the company disclosed a signed settlement agreement deeming its obligations fulfilled as of October 19, 2020. This all occurred a few months after the release of Hindenburg Research’s report regarding Facedrive, when a disagreement ended the relationship between Facedrive and Medtronics, although Medtronics still received all of its shares under the agreement. Had the consulting engagement continued, Stafford may have stood to receive more shares in Facedrive, increasing his compensation.

9. Stafford was also hired to promote, and artificially inflate the volume and/or price of, RECO’s shares. Since January 2020, Stafford and/or his companies have published over twenty sensationalist articles promoting RECO on [www.OilPrice.com](http://www.OilPrice.com) (a full list is set out in Section E of this Appendix), with titles including “Is This The Most Exciting Oil Stock For 2021?” and “Recon Africa: The Truth About The World’s Most Exciting Oil Play”. The disclosure on these articles indicates that Stafford was paid US\$280,000 for a series of four articles in January 2021. All of the articles consistently disclosed that Stafford and/or his companies own shares in RECO and accordingly have a substantial incentive to see the share price perform well.

10. Stafford’s financial interest in RECO once again motivated him to spread Unlawful Statements about the Plaintiffs through the Conspiracy. On June 20, 2021, The Globe and Mail published a critical article about RECO. On June 24, 2021, Viceroy Research,

another forensic research firm, expanded on The Globe and Mail's reporting and posted further critical findings about RECO. The critical findings included allegations that RECO had engaged in stock promotion and had other fundamental issues. The Second Defamatory Manifesto was published on June 28, 2021, a few days after Viceroy Research released its first report regarding RECO.

11. Given Stafford's significant financial interest and exposure to Facedrive and RECO, he publicly wrongfully used the Plaintiffs as scapegoats for their share prices declining, and in particular he blamed the Plaintiffs for the critical research findings about Facedrive and RECO. In fact, the share prices of overvalued companies decline not because of the Plaintiffs' influence, but rather because of market fundamentals, including poor performance, failures to meet the business plan, shareholder infighting, and/or corporate governance issues. Consistent with Stafford's incentives, the Unlawful Statements allege, among other things, that the Plaintiffs commissioned and paid for critical analyst and/or news reports about Facedrive and RECO based on fabricated information – both stocks that Stafford has a significant interest in inflating the value of and/or was hired to promote.

### **C. Stafford's Possible Location**

12. Stafford's company, A Media Solutions Limited is connected with the address 4TA Priv Piedra Del Comal 21, Casa 2 col. Valle De Tepepan Tlalpan Distrito Federal Mexico, 14 646, which is near Mexico City. Stafford appears to have connections to numerous jurisdictions and it is unknown to the Plaintiffs whether Stafford's residential address is in Mexico, England, the Bahamas, or elsewhere. Some of the Unlawful Statements described in the statement of claim were published from the area surrounding Mexico City

(many from the city of Toluca) and multiple employees of [www.OilPrice.com](http://www.OilPrice.com) appear to be based in Mexico City or the surrounding areas.

**D. List of [www.OilPrice.com](http://www.OilPrice.com) articles regarding Facedrive**

- 1- Mar 19, 2020- The Most Exciting Green Startups To Watch In 2020
- 2- April 14, 2020- Coronavirus And The Coming Financial Revolution
- 3- May 5, 2020- The \$30 Trillion Trend That's Bigger Than The Entire U.S. Stock Market
- 4- May 28, 2020- Buffett, Bezos And Blackrock Are Betting Big On This \$30 Trillion Mega-Trend
- 5- June 8, 2020- Tech Giants Battle It Out In Billion Dollar Food Delivery War
- 6- June 15, 2020- World's Largest Hedge Fund Goes All In On This \$30 Trillion Mega-Trend
- 7- July 22, 2020- How COVID Transformed The \$70 Trillion Stock Market
- 8- July 23, 2020- Google, Apple And Amazon Are Leading A \$30 Trillion Assault On Wall Street
- 9- August 5, 2020- 1 Million Downloads In 5 Weeks – The Tech Company Fighting COVID In Canada
- 10- August 17, 2020- Bezos And Blackrock Are Pouring Billions Into This \$30.7 Trillion Trend
- 11- October 28, 2020- Blackrock, Bezos And Musk Charging Ahead in this \$30 Trillion Mega-Trend
- 12- November 4, 2020- The \$110 Trillion Trend That Bezos, Buffet And Musk Are Betting On
- 13- November 4, 2020- The Biggest Ever Transfer Of Wealth Is Happening Right Now
- 14- November 9, 2020- The Death Of Car Ownership: How Tech Is Killing The \$3 Trillion Auto Industry
- 15- November 11, 2020- The 6 Hottest Energy Tech Stocks For 2021
- 16- November 17, 2020- Blackrock and Fidelity Are Betting Big On This \$130 Trillion Mega-Trendy
- 17- November 20, 2020- The 3 Hottest Electric Vehicle Stocks Of The Year
- 18- November 24, 2020- The Investment Trend That Could Send Tesla To \$2 Trillion
- 19- November 26, 2020- Here's Why Electric Vehicle Stocks Have Exploded This Year

- 20- December 3, 2020- The Real Reason Why Tesla Is Heading Towards A Trillion-Dollar Valuation
- 21- December 6, 2020- The 3 Hottest Electric Car Stocks For 2021
- 22- December 8, 2020- How To Profit From The Death Of Car Ownership
- 23- December 9, 2020- The Electric Car Boom Is About To Get Even Hotter
- 24- December 13, 2020- Do Not Buy An Electric Car For Christmas Until You Have Read This
- 25- December 15, 2020- How An Obscure 400 Year Old Law Sparked A \$5 Trillion Transportation Revolution
- 26- December 16, 2020- 2 Electric Car Stocks To Watch In 2021
- 27- December 17, 2020- Tesla's 1,000% Stock Price Explosion Isn't About Electric Cars
- 28- December 22, 2020- How Electric Vehicle Hype Created A Brand New Trillion Dollar Market
- 29- December 22, 2020- Why DoorDash Was The Hottest IPO Of The Year
- 30- December 28, 2020- 3 Ways to Play the \$30 Trillion ESG Boom in 2021
- 31- December 28, 2020- The Great Reset: BlackRock Is Fueling A \$120 Trillion Transformation On Wall St.
- 32- December 29, 2020- The Real Reason Big Tech Dominated The Market In 2020
- 33- January 4, 2021- How 400 Year Old Blood Taxis Created A \$5.7 Trillion Industry
- 34- January 12, 2021- BlackRock Is Leading A \$120 Trillion Investment Boom That Is Upending Wall St
- 35- 06 January 2021- BlackRock Is Leading A \$120 Trillion Investment Boom That Is Upending Wall St.
- 36- 08 January 2021-3 Electric Vehicle Stocks That Could Boom In 2021
- 37- 13 January 2021-Biden's Boom: The \$30 Trillion ESG Sector Is Set To Explode In 2021
- 38- 18 January 2021-Is This The Most Exciting ESG Play Of 2021?
- 39- 20 January 2021-The Biden Boom Is Coming And These Stocks Could Soar

- 40- 22 January 2021-Biden's Green Energy Boom Could Send These Electric Vehicle Stocks Soaring
- 41- 28 January 2021-The Real Reason Tesla's Stock Exploded In 2020
- 42- 29 January 2021-Biden's Green Energy Boom Could Send The Electric Car Sector Into Overdrive
- 43- 03 February 2021-These Stocks Could Soar As The U.S.-China Electric Vehicle War Heats Up
- 44- 05 February 2021-Green Tech Could Create The First Trillionaire
- 45- 09 February 2021-2 Under The Radar Electric Vehicle Stocks That Could Soar In 2021
- 46- 11 February 2021-Biden's Clean Energy Revolution Could Send These Stocks Soaring
- 47- 15 February 2021-The Single Biggest Threat To The Electric Vehicle Boom
- 48- 17 February 2021-Biden's \$2 Trillion Green Plan Could Send This Stock Soaring
- 49- 23 February 2021-Biden Is About To Send The Electric Vehicle Revolution Into Overdrive
- 50- 26 February 2021-The Real Reason Elon Musk Could Become The World's First Trillionaire
- 51- 03 March 2021-The \$1 Trillion Electric Vehicle Boom Is Just Getting Started
- 52- 05 March 2021-The Single Biggest Threat To The Electric Vehicle Revolution
- 53- 15 March 2021-Two Tech Stocks To Watch As Biden Pours Trillions Into The Green Economy
- 54- 04 April 2021-The Future is Electric: Why EV Stocks Could Continue To Soar In 2021
- 55- 14 April 2021-Could This Be One Of The Best Ways To Play The Electric Vehicle Boom?
- 56- 16 April 2021-How To Play The \$2.6 Trillion Clean Energy Investment Boom
- 57- 11 May 2021-3 Stocks That Could Win Big From Biden's \$2 Trillion Infrastructure Plan
- 58- 13 May 2021-Biden's \$2.5 Trillion Infrastructure Plan Could Send These EV Stocks Soaring

- 59- 14 May 2021-Is This One Of The Best Ways To Play The Electric Vehicle Boom?
- 60- 17 May 2021-2 Under The Radar EV Stocks Set To Explode This Summer
- 61- 19 May 2021-One Company To Watch As Electric Vehicle Stocks Get Ready To Fly This Summer
- 62- 24 May 2021-America's Gas Crisis Could Send These EV Stocks Even Higher
- 63- 27 May 2021-Could This Be The No.1 EV Stock Of 2021?
- 64- 01 June 2021-Why EV Stocks Are Poised To Explode This Summer
- 65- 09 June 2021-These EV Stocks Could Explode Higher This Summer
- 66- 11 June 2021-America's \$2 Trillion Infrastructure Boom Could Send ESG Stocks Soaring
- 67- 20 June 2021-The Death Of Car Ownership: This \$30 Trillion Trend Could Kill The Auto Industry
- 68- 24 June 2021-The 3 Hottest Electric Vehicle Stocks For 2021
- 69- 28 June 2021-Could This Be One Of The Best Ways To Play The EV Boom This Summer?
- 70- 06 July 2021-Is This The Hottest ESG Stock Of 2021?
- 71- 09 July 2021-Biden's \$2.5 Trillion Plan Could Send These 3 EV Stocks Soaring
- 72- 14 July 2021-The Future Of Transportation: EV Stocks Could Fly This Summer
- 73- 16 July 2021-One Man Just Sent The \$30 Trillion ESG Revolution Into Overdrive



**E. List of [www.OilPrice.com](http://www.OilPrice.com) articles regarding RECO**

1. 5 Things You Need To Know About The World's Hottest Oil Play - 16 August, 2021
2. Update On The World's Most Exciting Oil Play: Interview With Scot Evans - 09 August 2021
3. Recon Africa De-Risks The World's Most Exciting Oil Find-05 August 2021
4. Is The World's Hottest Oil Play About To Surprise Markets Again?-02 August 2021
5. Why Short Sellers Are Desperately Trying (And Failing) To Sink Recon Africa-25 July 2021
6. Could This Be The Most Promising Oil Play Of The Decade?-20 July 2021
7. The Best 2 Stocks To Hold As Oil Prices Explode-15 July 2021
8. The Small Exploration Company That Shocked The Oil Industry-08 July 2021
9. Recon Africa: The Truth About The World's Most Exciting Oil Play-29 June 2021
10. Why Namibia Could Become The Biggest Oil Story of the Decade-25 June 2021
11. Is This The Most Exciting Oil Play Of The Last 20 Years?-10 June 2021
12. Is There A Huge Undisclosed Short In Oil Explorer Reconnaissance Energy Africa?-27 May 2021
13. The Best Is Yet To Come For The World's Hottest Oil Play-19 April 2021
14. Two Oil Stocks To Watch In 2021-29 January 2021
15. Could This Be The Best Way To Play The Oil Rebound?-21 January 2021
16. Is This The Hottest Oil Play Of The Year?-14 January 2021
17. The Most Important Oil Find Of The Next Decade Could Be Here-13 January 2021
18. Is This The Most Exciting Oil Play Of The Decade?-08 January 2021
19. How To Play The Oil Price Rebound In 2021-05 January 2021
20. Could This Be The Top Oil Play For 2021?-21 December 2020
21. 2 Ways To Win Big On The Oil Price Rebound-16 December 2020
22. Is This The Most Exciting Oil Stock For 2021?-18 November 2020

23. The World's Last Major Onshore Oil Play?-06 October 2020
24. Two Ways To Win Big On The Oil Price Rebound-23 September 2020
25. The Biggest Oil Discovery Of The Year Could Happen Here-24 August 2020
26. 3 Ways To Play The Coming Oil Boom-18 August 2020
27. Supermajors Are Flocking To This Booming Oil Frontier-30 June 2020

## APPENDIX “D” – Unlawful Stockhouse Statements

### A. The July 23, 2020 Stockhouse Post

13. On July 23, 2020, Hindenburg Research published a critical report about Facedrive, a company whose stock Stafford was hired to promote.

14. Later that evening, Stafford and the other Defendants conspired to anonymously publish a post titled “The Real Story on Moez Kassam and Anson Funds – Part 1” on Stockhouse on July 23, 2020, under the pseudonym “JusinTime”:



15. The July 23 Stockhouse Post called Kassam a “criminal” and included statements accusing him of engaging in illegal, unethical, and “corrupt” business practices as well as egregious personal attacks, which were intended to damage his reputation and turn investors away from him. The accusations are false and defamatory.

16. The July 23 Stockhouse Post accused Kassam of being “corrupt and criminal” and asserted that his practices included “treading on people, lying and using every trick in the book to bring companies down that he bet against” (emphasis added below):

So here is the beginning part of the tale about the corrupt and criminal CIO at Anson funds?  
A few short years ago Moez Kassam was a high flying star in the hedge fund space. He had \$1 billion under management (now down to \$250 million and falling) and was the praise of the financial community. But what people don't know is that his media praise was paid for (like when Toronto Life covered his wedding – paid for and made to look like an editorial - shame), But even worse he made his money the dirty way, treading on people, lying and using every trick in the book to bring companies down that he bet against. Whatever it took, whoever he ruined financially or reputation wise he would do it to turn a profit.

17. In particular, the July 23 Stockhouse Post discussed Anson's investment in the cannabis company Tilray Inc. ("**Tilray**"). The post falsely asserted that, during this period, Anson had "a large naked short position" which posed a "significant credit risk" to its creditors, and that Anson committed "numerous securit[ies] violations [in] ever f[l]avour imaginable" in order to protect its solvency.

18. The July 23 Stockhouse Post also falsely stated that Anson was "again caught naked" in relation to Facedrive, falsely implying that Anson's conduct was abusive or illegal and asking IIROC if it would be investigating "how Moez creates paper". Anson does not engage in naked short selling.

19. The July 23 Stockhouse Post stated that the Plaintiffs were "bad actors" who are "getting away with" "huge regulatory infringements", and that there were "zero repercussions for their illegal behaviour."

20. The July 23 Stockhouse Post claimed that further allegations of "corruption, lies and foul play" against the Plaintiffs were forthcoming, and concluded with, "Stay tuned especially IIROC, juicy bits coming for you folks."

21. Jacob, who maintains a Twitter account through an alter-ego named "John Murphy" with the username @JohnMur67039142, tweeted a link to the Stockhouse July Post ***on the day it was published:***



The timing demonstrates insider knowledge that the July 23 Stockhouse Post was being published.

22. Shortly after the publication of the July 23 Stockhouse Post, “John Murphy” issued tweets alleging that the Plaintiffs had a short position in Facedrive and predicting that “much more will come out on this trade”. For example:



23. “John Murphy” included the Twitter accounts of The Globe and Mail and its reporter David Milstead, as well as BNN Bloomberg, in this tweet in order to draw these allegations to the media’s attention.

**B. The August 14, 2020 Stockhouse Post**

24. The Defendants conspired to publish a further defamatory and anonymous post on Stockhouse on August 14, 2020 titled “Moez Kassam and Anson Funds – Short \$500 M and Lose It All” under the pseudonym “evtrader”:



25. This post was published using an IP address originating in Mexico City, where multiple www.OilPrice.com employees are located. It made similar allegations to the July 23 Stockhouse Post.

26. The August 14 Stockhouse Post continued the egregious and baseless personal attacks against Kassam, referring to him disparagingly as an “awful little grot” and falsely stating that the Plaintiffs “lost \$500 million on a Tilray short”.

27. The August 14 Stockhouse Post also stated that “regulatory fire...will be coming [Kassam’s] way soon.” This was one of several attempts to draw regulatory attention to Anson, and falsely imply that the Plaintiffs were engaged in behavior that violated securities regulations.

28. Also on August 14, 2020, “John Murphy” retweeted the false claim that Anson was behind the report produced by Hindenburg Research (“**Aphria Hindenburg Report**”) regarding Aphria, a cannabis company, and predicted that the “story will be all over the streets within months”. This tweet included a photo of Kassam that later appeared in the

Defamatory Manifesto, and also included the Twitter account of BNN Bloomberg to draw the allegations to its attention. The tweet read as follows:



29. The same day, “John Murphy” tweeted additional allegations that Kassam paid for critical reports regarding Facedrive, Aphria, Tilray and other stocks:

\$FD #moezkassam paid for negative promotions on \$FD [Facedrive Inc.] \$apha [Aphria] \$tlry [Tilray] and many more. Was this disclosed by publisher? @AnsonGroupFunds @HindenburgRes @BNN Bloomberg @BettingBruiser \$tlry \$apha \$shortsellers @IIROCinfo

### C. The August 17, 2020 Stockhouse Post

30. The Defendants conspired to continue their scheme to harm the Plaintiffs by anonymously publishing a post on Stockhouse on August 17, 2020 titled “The Real Story on what happened with Moez Kassam and Aphria”, under the pseudonym “Bundyj”. This

post was published using an IP address originating in Toluca, a suburb of Mexico City, where www.OilPrice.com has multiple employees:



31. The August 17 Stockhouse Post alleged that Kassam is “a **corporate sociopath** of the worst kind...He talks the talk and **worms his way into friendships that he fully plans to betray** for a dollar at the first opportunity.”

32. The August 17 Stockhouse Post alleged that Anson had invested in Aphria, but that following Anson’s “failed short campaign against Tilray”, the Plaintiffs “became desperate” and “**decided to betray [Kassam’s] friends and colleagues at Aphria.**”

33. The August 17 Stockhouse Post falsely stated that the Plaintiffs commissioned the Aphria Hindenburg Report to publish negative material regarding Aphria, and that the Plaintiffs provided Anderson with “sensitive, insider information that [Kassam] obtained from his friendships with Aphria management and founders”.

34. The August 17 Stockhouse Post also falsely claimed that, shortly before the Aphria Hindenburg Report was released, the Plaintiffs took a short position in Aphria so that they could profit from the diminution of its stock price. Aphria’s stock fell following the release of the report, and the post claimed that, “to the outside world Kassam feigned shock...to avoid suspicion even though he had orchestrated the entire scheme and illegally fed Nate insider information.”



35. The August 17 Stockhouse Post implied Anson's conduct violated securities regulations by encouraging regulators to investigate the allegations it contained. It concluded by encouraging readers to "[c]opy and share as I'm sure Moez will try to have this post removed."

36. Shortly after the August 17 Stockhouse Post was published, Anson received an anonymous telephone call at its offices threatening harm to Anson and Kassam.

37. On August 21, 2020, Robert texted Spektor about Puri, commenting: "When I see Sunny...I'm punching his ticket...I've chased sunny now twice now...Ran like a bitch". In the same conversation, he implied that he could have physical harm done to Kassam: "I'm well connected also ... ***if I wanted someone to visit Moez I could [have] had it done already*** but just moved past it and it's his loss now".

#### **D. The August 28, 2020 Stockhouse Post**

38. The Defendants conspired to anonymously publish a post on Stockhouse on August 28, 2020 titled "Moez Kassam and Anson at it again – you guys got off lightly", under the pseudonym "stocknsyrup". This post was published using an IP address originating in Mexico City, where www.OilPrice.com has multiple employees (and in fact, the IP address that published this post is the same as the one that published the August 14 Stockhouse Post):

**Moez Kassam and Anson at it again – you guys got off lightly  
(/companies/bullboard/v.fd/facedrive-inc?postid=31470222)**



stocknsyrup (/members/stocknsyrup) (1) | August 28, 2020 12:43 pm

39. The August 28 Stockhouse Post alleged that Anson invested in Zenabis and appointed a “**stooge**”, Adam Spears, to Zenabis’ board. Among other things, it falsely and maliciously asserted that Anson used Spears to “convince...Zenabis to do all sorts of things that were hugely detrimental to the company and geared towards its destruction”.

40. The August 28 Stockhouse Post falsely stated that Spears was “feeding Kassam insider information so Kassam could better time the short sells and make even more money. YES, THIS IS ILLEGAL!”.

41. The August 28 Stockhouse Post asserted that the “coup de grace” for Zenabis was Kassam and Spears convincing it to pursue an initial public offering at an overvalued valuation so that, due to Anson’s short position, Kassam would have “a massive win” when Zenabis’ share price fell. It claimed that the Plaintiffs “made a fortune on this” scheme. The post falsely asserted that the Plaintiffs’ conduct “**completely destroyed Zenabis and its shareholders, and it was illegal every step of the way**”, and encouraged regulators to investigate.

## **APPENDIX “E” - The Defamatory Manifesto**

### **A. Planning the Defamatory Manifesto**

42. During meetings and/or conversations to plan the Defamatory Manifesto, Rudensky told Stafford and Robert the following, among other things, establishing that he was involved with the Defamatory Manifesto:

[Rudensky, Transcript #3]: ...But I've been on the street for 15 years and Moez seems like a guy who would have dinner with you and shake your hand and then screw you over and I don't get how he survives...

[...]

[Rudensky, Transcript #3]: ...I was a broker and G&P [i.e. Richardson GMP] for over 10 years [Rudensky worked at Richardson GMP from November 2009 until September 2015 when he left, as described in the statement of claim at paragraphs 17-18]...

[...]

[Rudensky, Transcript #3]: ...In 2018? I left in 2015 and he [Adam Spears] had come in and said his goodbyes a year earlier [Rudensky left Richardson GMP in 2015] ...

[...]

[Rudensky, Transcript #3]: ...Nothing else from me right now. I think we are on the same page, this is reinforcing some of the stuff I've heard.

43. During other meetings and/or conversations to plan the Defamatory Manifesto, Robert and Stafford had, among other things, the following discussions as Stafford asked Robert to draft false and defamatory allegations against the Plaintiffs:

[Stafford, Transcript #4]: OK – so do you have any paper or anything? Everything you've given me is great for a story but it won't take [Kassam] down. So I need something...

[...]

[Stafford, Transcript #4]: ...Interesting, I like that, it's interesting. You know this better than me? Can you write out that whole process start to finish?

[Robert replies, Transcript #4]: Sure – I'll do that example. I can do it on Sunday but that is just one case in the US. ...

[...]

[Stafford, Transcript #4]: ...Ok – can you write something out....

44. During other meetings and/or conversations to plan the Defamatory Manifesto, including several of the meetings described herein, Stafford, Rudensky and/or Robert made, among others, the following statements as they sought to conspire against the Plaintiffs:

[Robert, Transcript #1]: ...The regulators are on to [Kassam] and I know the dirt but you'd have to offer something substantial for me to start digging into Moez. I hate the guy, but I'd have to go out of my way....

[...]

[Robert, Transcript #1]: ...We can hurt him [Kassam] with the regulators and definitely find more info on his funds and who he works with? I ran into Sunny Puri twice and nearly punched him out...

[...]

[Robert, Transcript #2]: ...I'll go through all of this with your investigator...

[...]

[Stafford, Transcript #3]: ...What if we were to put pressure on the banks and brokerages? Credit compliance etc. Then they would take a closer look at their [Anson's] operations...

[...]

[Stafford, Transcript #3]: ...If you were to do surveillance on him [Kassam], where would you look?...

[...]

[Stafford, Transcript #3]: ...We need to make him [Kassam] toxic to force the regulators...

[...]

[Rudensky, Transcript #3]: ...What we need to do is up the pressure on the brokers...

[...]

[Robert, Transcript #3]: ...I'm going to keep talking, but with COVID it's hard to bump into people. But the way we hurt this guy [Kassam] is by doing a report and getting the regulators to look at it...

45. During other meetings and/or conversations to plan the Defamatory Manifesto, including several of the meetings described herein, Robert implied that Stafford was paid by Facedrive and that Stafford had an animus against the Plaintiffs:

[Robert, Transcript #1]: ...So Moez was panicking and bringing up your name [Stafford] and oilprice and the fact you got \$8 million to promote [Facedrive]. Which is a number I heard a long time ago...

[...]

[Robert, Transcript #2]: ...You're [Stafford] not the first person he's [Moez] pissed off...

[...]

[Robert, Transcript #3]: ...You have that with Facedrive, it hit 500 million and [Kassam] shorted it and you guys [Stafford and www.OilPrice.com] ran it to 1-2 billion...

46. During other meetings and/or conversations to plan the Defamatory Manifesto, including several of the meetings described herein, Robert and Stafford made, among other things, the following statements about Rudensky's employer Andy DeFrancesco:

[Stafford, Transcript #2]: ...Has [Kassam] screwed other people over apart from Andy?...

[...]

[Stafford, Transcript #3]: ...Is there anything we can do to help Andy or is he just screwed?...

[...]

[Robert, Transcript #3]: ...Everybody got mad and nobody wanted to touch Andy and it was all Moez...

47. During other meetings and/or conversations to plan the Defamatory Manifesto, including several of the meetings described herein, Robert claimed to have involvement behind critical research findings that were published about publicly traded companies:

[Robert, Transcript #1]: So here's my conundrum here. I do hate Moez but I am friends with Nate [Hindenburg Research] and I gave feedback on his [Facedrive] report and helped with it. I didn't know you at this time or who was on the other side of this trade...And I've helped Nate [Nathan Anderson of Hindenburg Research] on these reports before. So Andy called me last night and I couldn't say much because I didn't want to burn my relationship with Nate either...

[...]

[Robert, Transcript #1]: ...We [referring to Robert and Nathan Anderson of Hindenburg Research] did a short called Aphria with Andy...

## **B. Summary of the Defamatory Manifesto**

48. From its first paragraph, the Defamatory Manifesto accuses the Plaintiffs of engaging in criminal and unethical conduct (emphasis added):

***Never has there been a bigger scourge of the Canadian capital markets. Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions. In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends. Now, the other shoe is about to drop as Kassam's funds run out and a string of failed attempts at illegal destruction leave this naked short seller truly naked.***

49. The Defamatory Manifesto labels Kassam the “Toad of Bay Street”, with a large photograph of a toad, and advises readers to “steer clear” from Kassam’s ***“illegal activities.”***

50. The Defamatory Manifesto makes clear that its purpose is to paint Kassam as “the symbol of everything that is wrong with capital markets” and that with the “help” of “Kassam’s acquaintances [who] have flipped amid all the betrayal,” a “team of investigators is following all the threads of the ***questionable and illegal activities Kassam has pursued in an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way:*** even those who helped him and ended up being disposable.”

51. The Defamatory Manifesto falsely implies that the Plaintiffs have violated securities regulations. It improperly and maliciously encourages regulators, such as the OSC, SEC and IIROC, to investigate the Plaintiffs and implores them to “Pay Close Attention” to ***“high-functioning sociopath”*** Kassam. It claims that Kassam is “pinging [the] regulatory radar quite loudly” and that, in addition to Canadian regulatory scrutiny, the Plaintiffs’

“[d]irty deals in the U.S. are going to haunt [Kassam] as well—and the SEC has razor-sharp teeth.”

52. The Defamatory Manifesto gives the false impression that the Plaintiffs were already under regulatory investigation. Later modified versions of the Defamatory Manifesto state at the outset: “IMPORTANT UPDATE: **OSC and IIROC are now aware of Anson’s illegal market activities** and are asking the public for information. The regulators need your help. If you have information for them or have been hurt because of their actions please get in touch... Do not be silent – help them clean up the capital markets”. This part of the Defamatory Manifesto includes a link to an OSC media release that has no known connection to Anson, in an attempt to lend further credibility to the false notion that the Plaintiffs are under investigation.

53. The Defamatory Manifesto implies falsely that the Plaintiffs engaged in “naked short selling” by stating that they were the “primary inspiration” of a forthcoming bill to prohibit “naked short selling in Canada.”

54. The Defamatory Manifesto calls the Plaintiffs’ fully legal short-selling strategy “**illegal**” and claims that Kassam has “**lost friends...almost all of whom he betrayed in underhanded and illegal short-selling schemes**, including the best man at his wedding whom he threw under a speeding short-selling bus”.

55. While this allegation is false, Robert is one of the few individuals who has information about the relationship between Kassam and his best man, Allen Spektor, who introduced Kassam to Robert. During meetings and/or conversations to plan the



Defamatory Manifesto, Robert told Stafford and Rudensky the following, among other things:

[Robert, transcript #3]: [Kassam] is a piece of shit. He befriends people, uses people. I just spoke to the best man [Allen Spektor] at his wedding and they don't talk about shorting anymore because he just feeds everyone shit. This is his best friend. They don't talk about short selling because it ruins the friendship...

[...]

[Robert, transcript #3]: He's a big guy, he [Allen Spektor] was his best man. And he [Spektor] introduced me to Moez a long time ago and promised me the world if I helped this guy, and none of them came true. This Alan [Spektor] guy has recommended so many people that Moez fucked over that he doesn't involve himself in the circle anymore. I gave him a hard time.

56. The Defamatory Manifesto claims that “Moez Kassam’s MO” and the Plaintiffs’ general investment strategy is to invest in small companies in need of cash to “buy influence”; purposefully place the company “into a vulnerable position” in order to drive down its share price; and then short-sell the company’s shares “by a far greater amount” than their initial investment. It falsely asserts that “[p]rivate placement money coming from Moez Kassam is toxic money that comes with self-destructing strings attached.”

57. Under the heading “**How Moez Kassam Cheated Zenabis**”, the Defamatory Manifesto falsely accuses Kassam of engaging in a “game” in which he took a “visible long position” in Zenabis and a “much larger (10x) secret short position” to cause Zenabis’ share price to go down. It falsely states that Kassam effectuated his scheme by placing “a figurehead as the director of [the] company” – Adam Spears – and convincing him to go public at “the highest possible valuation” to “set up a massive downside potential for Kassam to make a killing shorting” its shares. The Defamatory Manifesto also alleges

falsely that Spears “fed” Kassam material non-public information that the Plaintiffs then leaked to the public, and which the Plaintiffs also used to time short sales advantageously. The Defamatory Manifesto claims that the Plaintiffs replaced Zenabis’ CEO after he discovered the “scheme”, and installed a new CEO whom they convinced “to dig his own grave” because they “were in control” of Zenabis “through their **stooge, Adam Spears**”. The Defamatory Manifesto asserts that the Plaintiffs’ “dirty short selling strategies” had “completely destroyed Zenabis, taking it from a \$950-million market cap company all the way down to around \$50 million over dinner and drinks.”

58. These are false allegations that Robert had previously made using the “Betting Bruiser” Twitter account, prior to the Defamatory Manifesto being published. These allegations were also included in the Unlawful Stockhouse Statements.

59. The Defamatory Manifesto continues with respect to Aphria. It falsely accuses Kassam of being “the mastermind” behind the Aphria Hindenburg Report by using Puri – who it says “makes bottom feeders look appealing” and did all the “dirty legwork”– to “illegally feed” its author Nate Anderson “sensitive, insider information that he obtained from his friendships with Aphria management and founders – sprinkled with exaggerated lies”. The Defamatory Manifesto asserts that the Plaintiffs were “a large holder of Aphria stock” and short sold shares immediately before release of the Aphria Hindenburg Report, which “irreparably damaged” and “crashed Aphria stock”. The Defamatory Manifesto claims that Kassam “**betrayed**” his “friends” and then “feigned shock...to avoid suspicion even though he had **orchestrated the entire scheme and illegally fed Nate [Anderson of Hindenburg Research] insider information.**”

60. The Unlawful Stockhouse Statements contained the same allegations regarding the Plaintiffs and Aphria, as did the “John Murphy” tweets from before the Defamatory Manifesto was published.

61. The Defamatory Manifesto falsely alleges that the Plaintiffs engaged in a similar scheme with Genius Brands International, Inc. (“**Genius**”), a children’s entertainment company. It falsely states that Plaintiffs engineered a “pump and dump” scheme whereby they raised Genius’ share price by commissioning favourable reports from “pumpers” on social media, and then took “significant short positions” immediately prior to the release of a negative report that they commissioned Nate Anderson of Hindenburg Research to write. The Defamatory Manifesto also falsely claims that Kassam had provided vetted “insider” information to Anderson to assist with writing that report. The Defamatory Manifesto’s allegations regarding Genius maliciously conclude by implying the Plaintiffs violated securities regulations: “The Toad of Bay Street—dipping his webbed feet precariously into SEC waters—rode [Genius] all the way up and then shorted it all the way down—disgusting.”

62. The Defamatory Manifesto falsely accuses the Plaintiffs of engaging in a similar illegal scheme with Facedrive, a company Stafford was paid to promote and of which he owned a significant number of shares. It falsely states that Plaintiffs took “a huge naked short” position in Facedrive, “panicked,” and in order to drive down its share price, commissioned Anderson of Hindenburg Research to publish a negative report regarding Facedrive. The Defamatory Manifesto claims, falsely, that Kassam told others about the report “days before it went out”, which it characterized as “insider trading”. The Defamatory Manifesto claims that the report “failed to generate the negative action

[Kassam] needed to avoid losing what remains of his fund” and that he “lied to the banks” regarding his Facedrive investment. It warns that Facedrive should “be prepared for another assault out of desperation” because the Plaintiffs are “desperately trying to drive this stock lower”. It states that Plaintiffs would publish a further negative report from researcher “The Friendly Bear”, which the Defamatory Manifesto falsely states was a pseudonym for Kassam and Puri. It also alleges that the Plaintiffs’ banks were helping them with this “illegal” scheme. The Defamatory Manifesto alleges that Anson and Kassam were behind “The Friendly Bear” research report regarding Facedrive – an allegation that is clearly false since no such report exists.

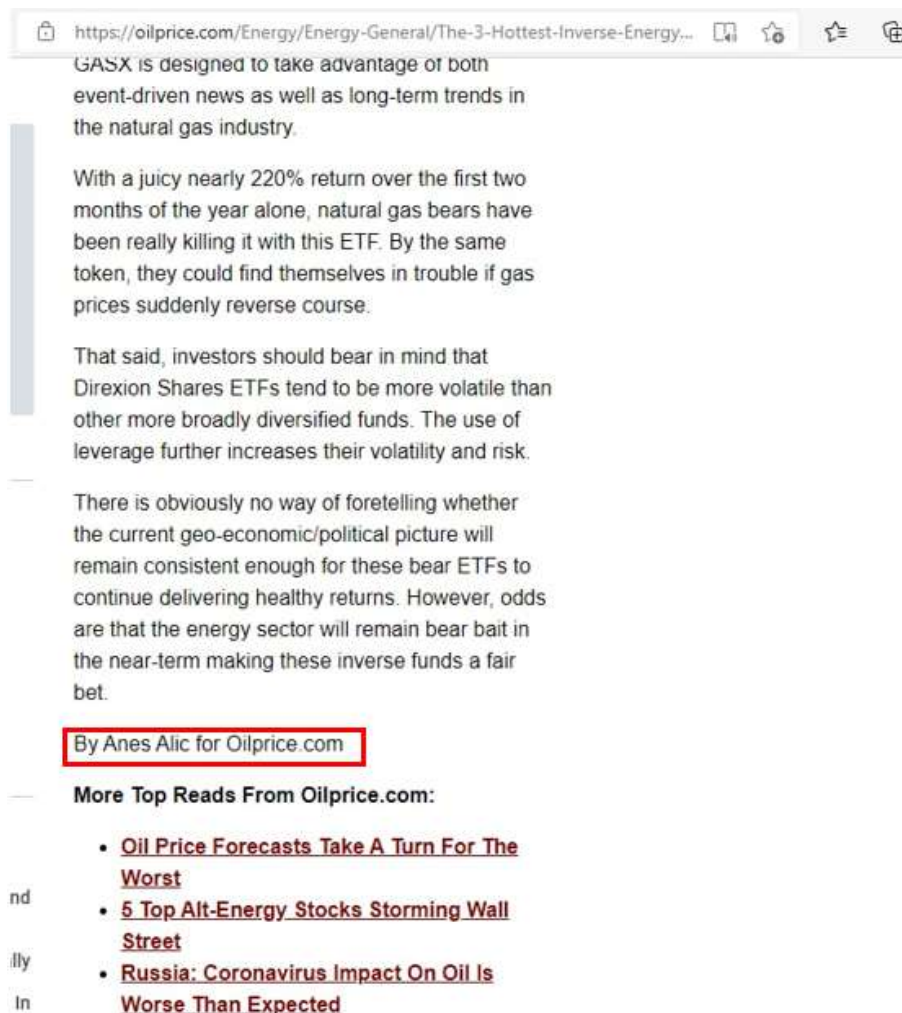
63. As referenced herein, “John Murphy” had previously made similar false assertions about the Plaintiffs and Facedrive. “Betting Bruiser” had also previously tweeted the allegation that the Plaintiffs controlled the Friendly Bear, before the Defamatory Manifesto was published.

64. The Defamatory Manifesto falsely alleges that Tilray had “been the victim of an Anson Funds scheme (which failed)”, and that Anson’s “disastrous attempt to short much larger Tilray” caused “a liquidity crisis” for Anson, which lost hundreds of millions of dollars “in the scheme”. The Defamatory Manifesto further alleges that, having “lost around \$80 million on this dodgy short strategy”, Kassam “nearly lost everything” and had to “grovel” to raise capital for Anson.

65. The Defamatory Manifesto falsely alleges that Anson underpays or “stiffs” people. Robert has made similar allegations that he was not compensated for past due diligence he shared with Anson using the “Betting Bruiser” Twitter account.



### C. The Defendants' Attempt to Conceal their Identities and Disseminate the Defamatory Manifesto

66. The Defendants or their proxies communicated with the Bosnian developers using anonymous email addresses to conceal their identities, including from the developers themselves. The email addresses used by the Defendants were editormarketinvestigations@protonmail.ch and anesalic@protonmail.com. "Anes Alic", the name used in one of these email addresses, is a "journalist" for Stafford's website www.OilPrice.com, and the emails sent by anesalic@protonmail.com to the developers were sent either by Stafford or at his behest:



67. The Defendants provided the developers with the text of the Defamatory Manifesto, and the developers created the websites on which it was posted using WordPress. The Defendants paid the developers US\$100 for this work. The Defendants instructed the developers to delete all of their email correspondence following the completion of this work in an attempt to conceal their identities (although the developers did not, in fact, delete all such emails).

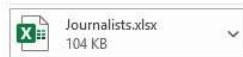
68. Stafford and the other Defendants compiled a spreadsheet containing the names and email addresses of 2,854 journalists, news editors, and others in the business community to whom they planned to disseminate the Defamatory Manifesto. Stafford had these names and contact information in his purported capacity as a “journalist”. He and the other Defendants – seeking to imbue the Defamatory Manifesto with a false sense of credibility – intended that these journalists and news editors would re-publish the allegations against the Plaintiffs in their respective news outlets. The spreadsheet’s metadata indicates that the spreadsheet’s author was “James Stafford”, and that the spreadsheet was created on September 30, 2020 and last edited October 1, 2020 — just days after the Defamatory Manifesto was first published:

Related Dates	
Last Modified	10/1/2020 4:29 PM
Created	9/30/2020 6:36 PM
Last Printed	
Related People	
Manager	None
Author	 JS James Stafford
Last Modified By	 JS James Stafford

69. The first four entries on the spreadsheet are pictured below. The first entry is for “James”, with the email “admin@oilprice.com”. Stafford operates the stock promotion website www.OilPrice.com. The second entry is for “Jim”, with the email address “james@floatingmix.com”, another email address associated with Stafford (and the domain “floatingmix.com” is registered to Advanced Media Solutions, the parent of www.OilPrice.com). The third and fourth entries are for “Jimbo” and “JS” at “capitalmarketsinvestigation@protonmail.com” and “info@stockmanipulators.com”. Both email addresses were used as “tiplines” for different versions of the Defamatory Manifesto:

	A	B
1	James	<a href="mailto:admin@oilprice.com">admin@oilprice.com</a>
2	Jim	<a href="mailto:james@floatingmix.com">james@floatingmix.com</a>
3	Jimbo	<a href="mailto:capitalmarketsinvestigation@protonmail.com">capitalmarketsinvestigation@protonmail.com</a>
4	JS	<a href="mailto:info@stockmanipulators.com">info@stockmanipulators.com</a>

70. Stafford and/or the other Defendants, using the email address “anesalic@protonmail.com”, sent this spreadsheet to the developers hired to assist with disseminating the Defamatory Manifesto:



Sent from ProtonMail mobile

----- Original Message -----

On 4. okt 2020. 23:17, anesalic <[anesalic@protonmail.com](mailto:anesalic@protonmail.com)> wrote:

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Sunday, October 4, 2020 10:44 AM, editormarketinvestigations <[editormarketinvestigations@protonmail.ch](mailto:editormarketinvestigations@protonmail.ch)> wrote:

Sent with [ProtonMail](#) Secure Email.

71. One version of the Defamatory Manifesto used the email address [cokiga@protonmail.com](mailto:cokiga@protonmail.com) as the “tipline”:

manipulation and how they are breaking the rules and laws to make Moez and themselves money. The capital markets are not free and fair and we will be providing documentation to show this. We will be naming names and believe us there are a lot of them. PI Financial – you have been very sloppy.

P.S. Please do share and re-publish wherever you can – always good to get news out far and wide.

Here is a hotline e-mail for people to come forward with information and documents [Cokiga@protonmail.com](mailto:Cokiga@protonmail.com) – Do not stay silent. If you have something the regulators and authorities can use please come forwards.

We promise 100% confidentiality – your name and details will not be used. Just the information you have.


Lets clean up the capital markets.



72. One of the “journalists” at [www.OilPrice.com](http://www.OilPrice.com) is named “Cokiga” Damke:

The screenshot shows a profile page on the MUCK RACK platform. At the top, the header "MUCK RACK" is on the left, and "For PR Pros" and "For Journalists" are on the right. The profile section features a circular placeholder for a profile picture and the name "Cokiga Damke" in a large, bold font. Below the name, it says "As seen in: [Oilprice.com](http://Oilprice.com)". A link "Is this you? Create an account to claim this page" is present. Below this is a navigation bar with "← BACK TO PROFILE OVERVIEW". The "ARTICLES" section lists two articles. The first article is titled "The idea that electric cars are lowering demand is ridiculous." and is dated "3 YEARS AGO". It is attributed to "By Ajan Bosnjacki, Cokiga Damke, Sefko Trafikant" and includes a link to "Oilprice.com". The article text discusses a rebuild on the braking system of a BMW. The second article is titled "What will happen with Venezuela's oil sector? Privatization needed?" and is also dated "3 YEARS AGO". It is attributed to "By Jose Chalhoub, Vlad Kovalenko, Nigerian Price, Cokiga Damke" and includes a link to "Oilprice.com". The article text discusses the potential privatization of PDVSA.

**MUCK RACK** For PR Pros For Journalists

 **Cokiga Damke**  
As seen in: [Oilprice.com](http://Oilprice.com)

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← [BACK TO PROFILE OVERVIEW](#)

**ARTICLES**

**The idea that electric cars are lowering demand is ridiculous.**  
3 YEARS AGO | By [Ajan Bosnjacki](#), [Cokiga Damke](#), [Sefko Trafikant](#)  
[Oilprice.com](#) — Electricity is not merely for propulsion. I have been doing a rebuild on the braking system on my big tank BMW, where the rotors get all rusty in Vermont's salty winters, and the replacement costs each are a hundred dollars. So I have developed a system using a chemical bath soaking (to loosen up and eat the outer layers of rust) and then a neutralization bath in baking soda, and then immediate immersion into an electrolysis tank to remove the rest of the rust.  
[f](#) [in](#) [t](#) [Open in Who Shared](#) [Wrong byline?](#)

**What will happen with Venezuela's oil sector? Privatization needed?**  
3 YEARS AGO | By [Jose Chalhoub](#), [Vlad Kovalenko](#), [Nigerian Price](#), [Cokiga Damke](#)  
[Oilprice.com](#) — For quite a while I've suspected that China and Russia will "privatize" PDVSA as a National Oil Company "colony" under their respective state controls. Without the long term financial assistance (loans) so far from China and Russia, PDVSA would have like already completely collapsed. The O&G infrastructure inside Venezuela is badly corroded, and who knows exactly how far gone from neglect and corrosion some of the downstream

**D. The Unsolicited Emails**

73. The Unsolicited Emails sharing the Defamatory Manifesto contained further Unlawful Statements against the Plaintiffs. One version of the email included the following (emphasis added):

This is a huge developing story on insider trading, market manipulation and fraud within America and Canada's capital markets that I thought you might be interested in.

***Anson Funds and Moez Kassam have been destroying companies through illegal means*** and their partners are some of the largest banks in the world.

The below investigative report looks at which banks are involved and how the fraud has taken place. A lot of very powerful people are going to find themselves under fire....

From what I have been led to believe Anson Funds have sponsored a huge DDOS attack against the various sites that hosted the article and they have all gone down now.

***The report obviously has these crooks very concerned and they are desperate no one reads the report. So we can now add cyber crimes to Anson's list of wrongs as well.***

74. Another version of the Unsolicited Emails stated the following:

We have a new tip for you that involves the almost unbelievable activities of a hedge fund based in the U.S. and Canada that has broken countless laws and because of their actions have taken billions from ordinary investors and destroyed a huge number of companies.

Please take a moment to read this piece: [link to "MarketCrimes.to".]

You might have heard rumours about it – but it has been going up and down due to huge DDOS attacks from the hedge fund in question who do not want this information getting out.

A second part will be coming soon but this really is a story that needs to see the light of day and I'm hoping you can share this piece with as many people as possible.

75. These Unsolicited Emails were designed and intended to further harm the Plaintiffs and damage their reputation in the financial industry.

**E. Further Attempts to Disseminate the Defamatory Manifesto on Twitter**

76. On September 28, 2020 – the day after the Defamatory Manifesto was first published – Robert texted Spektor (the contact who introduced him to Anson) the following in reference to the Defamatory Manifesto (emphasis added):

*I knew it was coming...*

*I know who wrote...*

Moez likely going [to] sue

77. On September 29, 2020, “Betting Bruiser” tweeted a link to the Defamatory Manifesto, commenting:



78. On September 29, 2020, shortly after Anson was able to have the Defamatory Manifesto taken down from www.MoezKassam.com, Jacob quickly tweeted a new link to the Defamatory Manifesto on a different website, www.StockManipulators.com – again showing the Doxtators’ involvement in the Defamatory Manifesto. He again included the Twitter accounts of the Globe and Mail, and reporter David Milstead, in his tweet:



79. On September 29, 2020 “John Murphy” also tweeted:

big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]

80. On September 30, 2020, Robert referenced the Defamatory Manifesto in a “Betting Bruiser” tweet to advance his allegation that he was unpaid for certain due diligence:

Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don’t pay anyone but themselves. \$ZENA \$APHA #PotStocks

81. On September 30, 2020, in response to an Anson press release denouncing the Unlawful Statements, “John Murphy” commented:

Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response. we are waiting @MunchingMoez ansonfunds.com/wp-content/upl... @QTRResearch @BettingBruiser @LamboJohnny @weedstreet420 @davidmilstead

82. During this time, “John Murphy” re-tweeted several tweets publishing links to the Defamatory Manifesto. He also re-tweeted several of Robert’s tweets about the Plaintiffs, as well as those of other Twitter users sharing and discussing the Defamatory Manifesto,

reflecting the Defendants' concerted and coordinated effort to defame the Plaintiffs. He also repeated false allegations of a DDOS attack by Anson, in replying to a tweet by "Betting Bruiser" that contained a link to the Defamatory Manifesto with the following false allegation:

sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$gfl \$shrm many more

**F. "Betting Bruiser" Tweets**

83. The tweets published by "Betting Bruiser" shortly after the Whatsapp exchange between Kassam and Robert included the following:

- (a) "One thing that was left out of the \$ZENA [Zenabis] and Anson Funds report was [the] fact that Anson's funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between \$ZENA & \$TLRY [Tilray] ... conflict of interest much? #Potstocks";
- (b) "Hi Laura [Salvatori, Anson's legal counsel] [Hand waving emoji] ... cause I know you follow every tweet I speak about Anson ... I thought I'd give you a shoutout! \$ZENA \$TLRY #PotStocks";
- (c) "If you r an Anson Funds investor ... be prepared to have your funds locked up b/c there is a lot [of] information floating out there that paints a picture of scams to benefit none other then [sic] Moez Kassam. \$ZENA story is just one of hundreds were its [sic] alleged he broke the law. #PotStocks";

- (d) “Maybe I should speak to regulators about Anson Funds and collect the reward in 50 years .... Or should I just leak snippets of recorded conversations with Moez Kassam? Thoughts? #PotStocks”; and
- (e) “I think I’m going [to] release some of the recordings about Moez Kassam ... just interested how much money Anson pays Ben Axler from @sprucepointcap ... you care to comment Ben?”

84. The tweet described immediately above was accompanied by a purported transcript of a recent conversation between Kassam and Robert. In fact, the conversation that was transcribed occurred several years ago and the tweet was misleading. This was another attempt by Robert to deceive his Twitter followers and defame the Plaintiffs.

85. On October 9, 2020 — the Friday before Thanksgiving weekend — “Betting Bruiser” wished death on Kassam:



86. On October 29, 2020, shortly after the Defamatory Manifesto was republished on www.MarketCrimes.to, “John Murphy” tweeted a link to the new website, and included in the tweet the Twitter accounts of BNN Bloomberg and Jeff Kehoe, the Director of

Enforcement for the OSC, to bring the Defamatory Manifesto to their attention and attempt to cause the maximum harm to the Plaintiffs.

87. On October 30, 2020, “Betting Bruiser” posted further Unlawful Statements regarding Anson and Kassam:

- (a) he posted a recording of part of a recent conversation between Robert and Kassam regarding the Conspiracy, with the following comment: “This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is the scum of the earth”; and
- (b) “He doesn’t have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying @sprucepointcap @CitronResearch @FriendlyBearSA and others ... why did you block me Ben Adler ... is it the fact your Moez Kassam lapdog?”

88. On October 31, 2020, “Betting Bruiser” posted a tweet encouraging vandalism of Kassam’s house:



**G. Messages Publicizing the Defamatory Manifesto**

89. The Defendants and/or their proxies shared links to the Defamatory Manifesto on Yahoo Finance with the comments including the following:

- (a) a user named “America” commented, “Will the Canadian regulators do something? I cannot believe someone has been able to get away with this for so long”;



- (b) a user named “Antti” commented, “Canadian hedge fund under fire for illegal practices[.] Looks like Anson have managed to take those sites down – they don’t want the world to know about their crimes”;
- (c) a user named “Alissa” published several messages sharing the Defamatory Manifesto, commenting, “This is everything that’s wrong with the stock market... Looks like a big scandal might be unfolding”, “Have anyone else seen this??? Bomb report on Moez Kassam and Anson Funds. About time ... Clean up what’s truly dirty and rotten to the core” and “Interesting investigative piece looking at a short selling group that have scammed investors out of billions. It’s a must read”; and
- (d) a user named “Daniela” commented, “Seems like a scandal might be starting in the Canadian markets[.] Take a look at this article I found on another community about this hedge fund guy that has been running amok in the Canadian markets – crazy...”.

90. Posts published on Stockhouse in September and October 2020 included the following:

- (a) on September 29, 2020, a user named “KhalidZ” shared a link to the Defamatory Manifesto with comments almost identical to those of “Daniela”, described above: “A scandal might be starting to unfold in the Canadian market[.] Take a look at this article I found on another community about this hedge fund guy that has been running amok in the Canadian markets –

crazy...". This post published using the VPN "Digital Ocean", a provider of personal VPN services; and

- (b) on October 1, 2020, a user named "HannaJensen" shared a link to the Defamatory Manifesto with comments identical to those published by "Alissa", described above: "Interesting investigative piece looking at short selling group that have scammed investors out of billions".

91. The Defendants or their proxies published Further Unlawful Stockhouse Statements in fall 2020, with headline tags including the following:

- (a) "Time's Up";
- (b) "Expose on Moez Kassam";
- (c) "Tale of Corruption";
- (d) "These short sellers soured the entire cannabis market";
- (e) "Check out this piece on short selling bandits in Canada"; and
- (f) "A big scandal might be unfolding in Canadian markets."

92. Many of these posts included links to the Defamatory Manifesto, and many of the Further Unlawful Stockhouse Statements posted in fall 2020 were published using the Digital Ocean VPN.

## H. The Stafford Unlawful Stockhouse Statements

93. The Stafford Unlawful Stockhouse Statements, all published under the username “toffraffles”, were as follows. Many of them referred to Facedrive, one of the companies that Stafford was hired to promote and of which he owned a significant number of shares, as set out herein:

Date	Subject	Post
November 18, 2020	Edward is Upset Because Moez Kassam is Losing Money on FD	Poor Edwardoboo – he gets paid per post from Anson Funds and now his paymaster is losing money hand over fist with his Facedrive short. You referenced the Hindenberg report. This as everyone online knows was a paid for hit piece by Anson. Why don't you look at the report on Moez Kassam and Anson Funds that is going around the internet. Find out just who you are working for. Pure scum. Here's the link just in case you haven't read it: [link to Defamatory Manifesto]
November 19, 2020	RE: Watch the basher rhetoric increase....	Edwardoboo will be coming in hard with the bashing. Probably just got off the phone with Sunny and Moez. They will be upping his salary to \$15 per post if he can create multiple bashing profiles. No sweeter taste than short sellers tears.
November 19, 2020	RE:RE:RE: Watch the basher rhetoric increase....	Here he is – Edward's back – yay. More half witted twaddle from the man who couldn't even get a job in a convenience store and instead has to try and pull down companies for the pennies Moez and Anson tosses him. This company is going places my old mucker. Does Microsoft partner with anyone on the street? No – they know what's happening here and so does the market. Your boss is on the wrong side of this one and is going to lose BIG

Date	Subject	Post
February 25, 2021	What an investigation into Facedrive and Shorts would find	<p>Good post on Yahoo Finance – must read for all Facedrive investors: [link]</p> <p>As someone who has been in since the \$10 range I love the shorts here saying they hope for an investigation. What they do not want is an investigation and neither do their partners in crime, TD Bank, CIBC, RBC. They have been facilitating Anson Funds illegal behaviour with spoofing, downticking and wash trading. They have been miss-marking tickets and hiding the true extent of the naked short position Anson Funds has in Facedrive.</p> <p>They have ruined the market through their illegal actions and any investigation WILL expose this. The banks will sweep this under the rug, cut Anson Funds off and try to get the regulators to move on to mask their continuous illegal behavior.</p> <p>Should the stock be here on fundamentals? No of course not – but Anson and the banks have broken the market and this is why we are seeing the big jumps in share price and I imagine we will see even bigger ones in future when they are forced to cover the bulk of their naked short.</p> <p>This will end very badly for the shorts and I for one welcome an investigation into this whole drama. the banks who will be exposed as Anson Funds are just a grubby little predator who spotted an opportunity and got caught. Now they can't get out of it and when the real buy ins happen this could be a textbook case for making naked short selling in Canada illegal with severe penalties</p>

Date	Subject	Post
February 25, 2021	RE:RE:What an investigation into Facedrive and Shorts would find	you have probably it the right way and gotten the borrow. Anson absolutely have not. TD alone are north of 2 million shares naked short and RCB, TD Bank and others aren't far behind. If you play the game fairly like you have then that's all good – but these guys don't plair [sic] fairly which is the real problem. The real naked short is rumoured to be around 8 million shares which is utterly insane and proves the market or regulatory regime in Canada is utterly broken. I can see this being in textbooks in the future for what can happen when hedge funds are allowed to go naked short and it all goes horribly wrong. Another poster on here said that Anson are waiting for a huge lockup to come free trading in March and that insiders will be dumping their stock. What happens if insiders don't dump and instead hold their shares? Anson have been promising the banks they will. We will see but if Anson are wrong this could explode as the banks will not put up with their lies and stalling any longer as the numbers no longer make sense and force them to cover
February 25, 2021	RE:RE:RE:RE:RE: What an investigation into Facedrive and Shorts would find	you are cleay [sic] a paid Anson Funds stooge. Moez only courts press and comes out when he is desperate and he is VERY desperate. Anson had a diabolical January and i have heard Frbruary [sic] is atrocious as well. He needs funds so Bloomberg put out that puff piece. They are going down
March 10, 2021	RE:RE:RE:RE:RE: Medtronics locking up Facedrive stock for another year	Very little short interest. Don't try and play us for mugs. Everyone on the street knows about the HUGE naked short Anson Funds and their syndicate have against Facedrive. It's the talk of Baystreet [sic]. This trade is going to go very badly for the naked shorts.

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

ROBERT LEE DOXTATOR, JACOB DOXTATOR,  
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4  
AND OTHER PERSONS UNKNOWN  
Defendants

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**FRESH AS AMENDED STATEMENT OF CLAIM**

**DAVIES WARD PHILLIPS & VINEBERG LLP**

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ANSON ADVISORS INC. et al.  
Plaintiffs  
ROBERT LEE DOXTATOR  
Plaintiff by Counterclaim

-and- ROBERT LEE DOXTATOR et al.  
Defendants  
-and- ANSON ADVISORS INC. et al.  
Defendants to the Counterclaim

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT  
TORONTO

**NOTICE OF MOTION**

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Anson Advisors Inc., Anson Funds Management LP, Anson  
Investments Master Fund LP and Moez Kassam

**TAB 2**



Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

B E T W E E N:

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

Plaintiffs

and

ROBERT LEE DOXTATOR, JACOB DOXTATOR, JOHN DOE 1, JOHN  
DOE 2, JOHN DOE 3, JOHN DOE 4 and PERSONS UNKNOWN

Defendants

A N D B E T W E E N:

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

and

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and ALLEN  
SPEKTOR

Defendants to the Counterclaim

**AFFIDAVIT OF SUNNY PURI  
(SWORN JANUARY 5, 2022)**

I, Sunny Puri, of the City of Toronto, in the Province of Ontario, MAKE OATH AND  
SAY:

1. I am a Portfolio Manager at the Plaintiff, Anson Advisors Inc. ("**AAI**"). I have worked at AAI since April 2013 and am involved in all aspects of its business. As such, I have personal knowledge of the matters contained in this Affidavit, except where I state such

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knowledge to be based on information and belief, in which cases I have identified the source(s) of my information and believe the information to be true.

2. I am swearing this Affidavit in support of the motion by the Plaintiffs for leave to amend the Statement of Claim (the “**Claim**”) and other ancillary relief.

3. When I use the words “**we**” or “**us**” in this Affidavit, I am referring to the Plaintiffs (or at least more than one of us).

**A. Background to the Claim and the Amended Claim**

4. The Plaintiffs/Moving Parties are AAI, Anson Funds Management LP (“**AFM**”), Anson Investments Master Fund LP (“**AIMF**”, and collectively with AAI and AFM, “**Anson**”), and Moez Kassam (“**Kassam**”), the Chief Executive Officer of AAI and one of Anson’s founders.

5. The Plaintiffs began this action by way of Statement of Claim issued December 18, 2020 (the “**Claim**”). A copy of the Claim is attached as **Exhibit A**.

6. As set out therein, the Claim described how the Plaintiffs (Anson and Kassam) are the targets of a sophisticated and coordinated conspiracy to damage our business and reputations (the “**Conspiracy**”). Among other things, the Claim alleged that the named Defendants, Robert Doxtator (“**Robert**”) and Jacob Doxtator (“**Jacob**”, and together with Robert, the “**Doxtators**”), together with other individuals whose identities were unknown to the Plaintiffs at the time, conspired to publish and broadly disseminate a number of false and defamatory statements about the Plaintiffs (the “**Unlawful Statements**”). The Unlawful Statements have caused considerable harm to our business and reputations.

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7. As further described in the Claim, the Plaintiffs claimed damages against the Defendants of \$100 million, plus aggravated and punitive damages. The Plaintiffs pleaded causes of action of conspiracy, false light, intentional interference with economic relations, appropriation of personality, and defamation.

8. The Claim expressly pleaded that the unknown Defendants were individuals whose identities were not known to the Plaintiffs, and that the Plaintiffs would seek to amend the Claim to substitute the actual names of the unknown Defendants when they were discovered and to incorporate additional material facts or information regarding the Conspiracy that subsequently came to light.

9. As indicated on the backpage of the Claim, at the time the Claim was issued in December 2020, the Plaintiffs were represented by Michael Barrack, Iris Fischer, Christopher DiMatteo, and Kaley Pulfer of the Blake, Cassels & Graydon LLP law firm ("**Blakes**").

10. The Plaintiffs are now represented by Matthew Milne-Smith, Andrew Carlson, and Maura O'Sullivan of the Davies Ward Phillips & Vineberg LLP law firm ("**Davies**").

11. The Plaintiffs now seek leave to file the Fresh as Amended Statement of Claim (the "**Amended Claim**") attached as Schedule A to our Notice of Motion dated November 23, 2021. Among other things, the Amended Claim seeks to:

- (a) plead significant new material facts regarding the nature and scope of the Conspiracy to disseminate Unlawful Statements about the Plaintiffs, including material facts regarding the involvement of James Stafford

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(“**Stafford**”) and Andrew Rudensky (“**Rudensky**”), and additional Unlawful Statements published since the Claim was initially issued;

- (b) add Stafford and Rudensky as Defendants to this action; and
- (c) add the cause of action of internet harassment, which was recognized by this Court after the Claim was issued.

12. I understand that the only Responding Party opposing the proposed amendments and the filing of the Amended Claim is Stafford. It is not clear to me on what basis Stafford is opposing the amendments. As set out below, while Stafford is (or was) also represented by Blakes (the Plaintiffs’ former counsel) in another proceeding that does not involve the Plaintiffs, the Plaintiffs have retained new counsel at Davies, and so any alleged conflict that the Blakes firm may have had has been resolved and/or rendered moot. As set out below, I am not aware of any non-compensable prejudice to Stafford resulting from the proposed amendments.

## **B. Procedural History**

13. This proceeding remains at an early stage. The only major (and largely procedural) steps that had been taken in this proceeding prior to this motion are the following:

- (a) The Claim was issued on December 18, 2020;
- (b) On January 20, 2021, the Plaintiffs initiated a motion for validated and/or substituted service on Robert (the “**Service Motion**”), because he had been evading service;

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- (c) On January 21, 2021, Jacob delivered a Statement of Defence;
- (d) On February 23, 2021, this Court made an Order granting the Plaintiffs' Service Motion, validating service of the Claim on Robert, and permitting him to be served with further materials by email;
- (e) On March 12, 2021, Robert delivered a Notice of Intent to Defend;
- (f) On March 26, 2021, Robert delivered a Statement of Defence and Counterclaim;
- (g) The Plaintiffs delivered a Reply and Defence to Robert Doxtator's Counterclaim on or around April 9, 2021;
- (h) Robert delivered an Amended Statement of Defence and Counterclaim on or around April 13, 2021 (which was formally amended by the Court on April 21, 2021);
- (i) The Plaintiffs delivered an Amended Reply and Defence to Robert's Amended Statement of Defence and Counterclaim on or around April 19, 2021;
- (j) Robert delivered a Reply to our Amended Reply and Defence to his Counterclaim on April 28, 2021; and
- (k) In June 2021, and as set out in more detail below, the Plaintiffs brought an unopposed motion for disclosure from a non-party, Stockhouse Publishing

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Ltd. (“**Stockhouse**”) – the owner of the Stockhouse website referred to in the Claim – and that Order was granted by Justice McEwen on June 11, 2021.

14. To my knowledge, the other Defendant to Robert’s Counterclaim, Allen Spektor, has not been served with Robert’s Counterclaim and has therefore not delivered a Statement of Defence to that Counterclaim, and therefore pleadings in the Counterclaim are not closed.

15. In summary, these proceedings are at a nascent stage. They have not yet moved past the pleadings stage, no discovery plan has been agreed to or set, and no documentary or oral discovery has occurred.

**C. The Plaintiffs’ Investigations and Discovery of the New Material Facts Pleaded in the Amended Claim**

16. Both before and after the initial Claim was issued in December 2020, the Plaintiffs investigated the facts underlying the Conspiracy in two ways, which can be summarized as follows:

- (a) We investigated the facts ourselves, including by conducting research of public sources of information (including but not limited to the internet), speaking to market participants, speaking to experts on website creation, and by retaining an independent consultant to assist us in conducting further investigations; and

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- (b) We sought and obtained a disclosure order, also known as a “Norwich Order”, against Stockhouse for disclosure of documents and information concerning a number of the allegedly false and defamatory Unlawful Statements posted on its website.

17. Blakes was only materially involved in the latter of these two avenues of investigation. Even then, while the Blakes firm was involved in the procedural process of *obtaining* the Norwich Order from the Court, it was the Plaintiffs who reviewed and analyzed the materials produced as a result of that Order. Blakes also did not direct, advise or control the independent investigations of the Plaintiffs and our independent consultant, though they were advised from time to time of the results of these investigations. Through these investigations, the Plaintiffs learned the facts and information relating to the Conspiracy, including the new material facts sought to be pleaded in the Amended Claim.

**(i) *The Plaintiffs Uncovered New Material Facts Through Their Own Efforts and the Efforts of Their Independent Consulting Firm***

18. As touched on above, both before and continuing after the initial Claim was issued, the Plaintiffs investigated the facts underlying the Conspiracy ourselves, including by retaining an independent consultant to assist us in conducting further investigations.

19. Specifically, the Plaintiffs retained Artemis Risk Consulting (“**ARC**”), an integrated intelligence and risk management consultancy, to assist the Plaintiffs in investigating the Conspiracy, including to investigate and if possible determine who the creators were of a

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number of the Unlawful Posts (in conjunction with and to complement our own efforts in that regard).

20. The Plaintiffs' retainer of ARC, and all of the Plaintiffs' and our counsels' communications with ARC, were for the sole purpose of assisting us and our counsel in preparing for and prosecuting this litigation.

21. Without intending to waive any solicitor-client privilege, litigation privilege, or any other privilege applicable to the Plaintiffs' retainer of and communications with ARC (including any communications between or involving the Plaintiffs' counsel and ARC), ARC discovered a number of underlying material facts, information and documents concerning the matters at issue in this proceeding, which underlying facts and information I understand are not privileged (and which the Plaintiffs will ultimately be required to disclose during the discovery phase of this proceeding).

22. To provide one example of a fact uncovered by ARC, it was through ARC that the Plaintiffs were able to retrieve from a Sarajevo-based web developer the Excel spreadsheet titled "Journalists.xlsx" (the "**Stafford Excel**") referred to in paragraphs 28(l), 68, 85 of the Amended Claim, listing 2,854 names of journalists, news editors and others in the business community to whom the Defamatory Manifesto (as referred to in the Amended Claim) was to be sent. The metadata of the Stafford Excel indicates that the proposed Defendant James Stafford was its author.



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23. Given that paper copies of Excel files are not particularly useful, I have not attached the Stafford Excel to this Affidavit. However, the Plaintiffs undertake to produce the Native version of this file to the Court and to the Responding Parties on request.

**(ii) The Plaintiffs Uncovered New Material Facts from the Disclosure Provided by the Stockhouse Website Pursuant to a Norwich Order**

24. As touched on above, earlier this year we brought a motion for a Norwich Order against Stockhouse. Stockhouse operates a message board website popular in the investment community. It advertises itself as having “over 1 million unique visitors a month” and as a “global hub for investors”. Members of Stockhouse may publish content on the Stockhouse website and indeed, much of Stockhouse’s content is “user-generated”. A copy of the “About” page on Stockhouse’s website is attached as **Exhibit B**.

25. In support of our motion for a Norwich Order, the Plaintiffs filed a 296-page Motion Record, which included an Affidavit affirmed by me on May 27, 2021, as well as a Factum, Book of Authorities, and a supplemental Affidavit affirmed by me on June 8, 2021. Those materials are available from the public court file in this proceeding and may be made available to the Court on this motion if helpful.

26. However, in summary of the evidence I provided in my Affidavit of May 27, 2021:

- (a) Since the Summer of 2020 and continuing well into 2021, individuals whose identities were unknown to the Plaintiffs (the “**Abusive Stockhouse Posters**”) had repeatedly used Stockhouse to publish false and defamatory statements about the Plaintiffs on an anonymous basis (the “**Abusive**

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**Stockhouse Posts**”), including through the use of “burner” Stockhouse member accounts that have public-facing aliases that do not reflect the true identities of the persons controlling those accounts. By the time we brought our motion, over one thousand Abusive Posts had been published on Stockhouse, and we had identified 109 unique Stockhouse member accounts that had published more than one of those Abusive Posts;

- (b) The Plaintiffs (through our counsel) reached out to Stockhouse about the Abusive Posts, and requested that Stockhouse remove the Abusive Posts and disclose all information in its possession about the Abusive Posters’ identities;
- (c) Over the course of March and April 2021, Stockhouse: (i) advised that it would comply with a Norwich Order if one was obtained; (ii) confirmed that it would not oppose the Plaintiffs’ motion for a Norwich Order; and (iii) voluntarily removed all of the Abusive Posts that the Plaintiffs had brought to its attention, on the grounds that the Abusive Posts violated the terms and conditions of its website (which prohibit the posting of user content that is false, misleading, unlawful, defamatory, libelous, and harassing, among other things).

27. Ultimately, the Plaintiffs’ motion for a Norwich Order was not opposed by either Stockhouse or the named Defendants (the Doxtators), and Justice McEwen granted that motion on June 11, 2021. A copy of Justice McEwen’s handwritten Endorsement,

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together with a transcribed copy of that Endorsement, is attached as **Exhibit C**. A copy of the Norwich Order is attached as **Exhibit D**.

28. As set out in the Norwich Order, Stockhouse was required to disclose to the Plaintiffs the following information regarding 109 Stockhouse member accounts listed in Schedule "A" to the Order:

- (a) The name(s) of the person(s) who registered each member account, if such name(s) were provided to Stockhouse;
- (b) All identifying and contact information provided to Stockhouse by such person(s), including email addresses and/or telephone numbers;
- (c) If the Stockhouse member account is a paid account, the third party financial services provider that has payment information related to the member account;
- (d) All Internet Protocol ("IP") addresses associated with the member account and any IP history/user logs associated with the account; and
- (e) Any other documents in Stockhouse's possession, power or control or information in Stockhouse's knowledge that could identify the person(s) who created and/or accessed and/or is/are otherwise associated with each member account.

collectively, the "**Stockhouse Materials**"

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29. Ultimately, on or around June 29, 2021, Stockhouse produced four Excel files which collectively contained extensive information regarding the 109 Stockhouse member accounts referenced in the Norwich Order. Given that paper copies of the Excel files are not particularly useful (one of the Excel files has over 103,000 rows of information), I have not attached them to this Affidavit. However, the Plaintiffs undertake to produce the Native versions of these files to the Court and to the Responding Parties on request.

30. To provide one example of a (crucial) material fact that the Plaintiffs discovered from the Stockhouse Materials, it was from the Stockhouse Materials that the Plaintiffs learned that a Stockhouse account associated the username “ToffRaffles” was registered to the email address james@floatingmix.com. The Plaintiffs determined through public sources (including the GoDaddy Whois app) that this email address is registered to Advanced Media Solutions, the parent company of Stafford’s website OilPrice.com. As referred to in paragraphs 16, 61, 106, 143(e) of the Amended Claim and in paragraph 93 of Appendix “D” to the Amended Claim, between November 2020 and March 2021, “ToffRaffles” (i.e., Stafford) published a series of further Unlawful Statements on Stockhouse. This subset of the Unlawful Statements is defined in the Amended Claim as the “**Stafford Unlawful Stockhouse Statements**”.

***(iii) The Plaintiffs Used the Above-Noted Information to Draft the Amended Claim, including the Allegations Regarding Stafford***

31. The Plaintiffs and our former counsel at Blakes used the new facts, information and documents that the Plaintiffs had uncovered through the above-noted investigative efforts to draft the Amended Claim.

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32. To be crystal clear:

- (a) All of the claims and allegations made in the Amended Claim, including those concerning Stafford, were drafted based on the investigations undertaken by and information discovered from the sources set out above; and
- (b) None of the information upon which those claims and allegations are based on was disclosed, provided, or conveyed to the Plaintiffs, or otherwise sourced by, our prior counsel at the Blakes firm.

**D. Blakes Advises the Plaintiffs of a Potential Conflict and Establishes a Firewall to Address that Concern**

33. As touched on above, on or around June 29, 2021, Stockhouse produced the Stockhouse Materials pursuant to the Norwich Order made by Justice McEwen.

34. It was not until after the Plaintiffs had received and reviewed those materials that the Plaintiffs determined to sue Stafford over his involvement in the Conspiracy (as alleged in the Amended Claim).

35. At that time, we had no knowledge that other lawyers at Blakes were acting for Stafford on a different matter.

36. On the evening of July 28, 2021, our then lawyers at Blakes reached out to us and advised us that a potential conflict had arisen in respect of this matter, and asked to arrange a time to discuss. The next day (July 29, 2021), we spoke with them about the potential conflict, and they advised us that another group of lawyers at Blakes were acting

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for Stafford on another matter. Our lawyers at Blakes informed us, however, that none of our confidential information had been conveyed to or accessed by Stafford's lawyers, or vice versa, and that a firewall was being put in place at Blakes to ensure that no such information could or would be conveyed in either direction.

37. We trusted that Blakes would manage the potential conflict professionally and that none of our confidential information had been or was at risk of being conveyed to Stafford. As stated above, we had also not received any information relating to Stafford from Blakes and trusted that Blakes would respect their professional obligations in that regard.

38. As a result, we continued working with our lawyers at Blakes.

**E. The Plaintiffs Serve the Amended Claim on Stafford, Stafford Raises a Potential Conflict, and the Plaintiffs Promptly Retain New Counsel**

39. Ultimately, in early October 2021, the Plaintiffs' counsel at Blakes circulated an earlier draft of the Amended Claim to the Responding Parties, including to Stafford and Rudensky, and requested that they accept service and confirm their consent to the proposed amendments.

40. In response to Blakes' circulation of the draft Amended Claim, I understand that Stafford took the position that Blakes was conflicted from acting against him in respect of this matter.

41. While the Plaintiffs do not take any position as to whether our former lawyers at Blakes were actually conflicted from acting against Stafford in this proceeding, we did not want there to be any delay in our ability to amend our pleading and otherwise pursue the

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prosecution of the Amended Claim as against the Defendants, including Stafford and Rudensky.

42. For that reason, we retained our new lawyers at Davies to replace Blakes so as to promptly resolve the alleged conflict and avoid the expense and delay of any potential motion by Stafford to disqualify Blakes from acting against him on this matter.

43. We retained Davies on or around November 11, 2021, and Mr. Milne-Smith (of Davies) served a Notice of Change of Lawyers on the other parties the very next day. A copy of the Notice of Change of Lawyers dated November 12, 2021 is attached as **Exhibit E**.

44. I understand that in or around the same time period that we were replacing our counsel (in early November 2021), Stafford retained special counsel at the Kim Spencer McPhee Barristers PC law firm ("**KSM**") for the limited purpose of seeking relief in respect of Blakes' (now former) simultaneous representation of the Plaintiffs on this matter and Stafford on a separate matter. I further understand that KSM has not been retained and may not be retained by Stafford more generally.

45. On Monday, November 15, 2021, Justice McEwen convened a previously scheduled Case Conference in this matter for the primary purpose of assigning a Case Management Judge and setting a date for a first Case Conference with that Judge. However, a second purpose of that Case Conference was to advise the Court of the Plaintiffs' intention to amend the Claim (including to add Rudensky and Stafford as Defendants).

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46. In that regard, I am informed by Matthew Milne-Smith of Davies that he participated in the Case Conference as our new counsel, and advised Justice McEwen of the Plaintiffs' intention to seek leave to file the Amended Claim. Mr. Milne-Smith also advised Justice McEwen that – as at that date – no Defendant or proposed Defendant had indicated an intention to oppose the amendments. In the result, Justice McEwen directed that if no party opposed the amendments, he would grant the Plaintiffs leave to file the Amended Claim. A copy of Justice McEwen's Endorsement is attached as **Exhibit F**.

47. After the Case Conference, Mr. Milne-Smith sent an email to the other parties and/or their counsel (including Stafford's special counsel at KSM) asking them to advise, by the end of that week, if any of them objected to the filing of the Amended Claim. A copy of Mr. Milne-Smith's email to is attached as **Exhibit G**.

48. I understand from Mr. Milne-Smith and believe that Stafford's special counsel then advised that Stafford opposed the amendments to the Claim, which is why the Plaintiffs have been required to bring this motion.

49. The Plaintiffs formally served our Notice of Motion, with the Amended Claim as Schedule A thereto, on November 23, 2021.

**F. Further Unlawful Statements About the Plaintiffs Have Been Published Since We Commenced This Motion**

50. It is also important that this Court understands that further false and defamatory Unlawful Statements continue to be published about the Plaintiffs to this day, including on websites apparently dedicated to smearing the Plaintiffs and on other forums on the



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internet (such as Stockhouse, Reddit, and Google Reviews) and social media (such as Twitter).

51. To provide some recent examples, commencing December 10, 2021 and continuing to at least December 17, 2021, a wave of new Tweets were posted on the BettingBruiser Twitter account (the “**December 2021 Tweets**”) concerning Anson and Kassam, including false and defamatory Tweets accusing them of being “predatory short sellers” and market manipulators, and Tweets mocking Anson’s receipt of an award from HedgeWeek as the Best Equity Hedge Fund, among other things. Copies of the December 21 Tweets are attached as **Exhibit H**. As alleged in the Claim and Amended Claim, the Plaintiffs understand that Robert owns and operates the BettingBruiser Twitter account.

52. In short, notwithstanding the commencement of the Claim and in the face of our motion to file the Amended Claim, the Conspiracy continues to be carried out. It is of vital importance to the Plaintiffs that this motion, and the proceeding in general, move forward as expeditiously as possible so that the Plaintiffs can achieve vindication and put a stop to the ongoing Conspiracy.

**G. Service of the Amended Claim and Further Materials on Stafford on a Go-Forward Basis**

53. Despite the Plaintiffs’ efforts to identify Stafford’s residential address, we do not know Stafford’s address or where he resides. We were never informed of either of those basic facts by our lawyers at Blakes, and to the best of my knowledge the lawyers at Blakes acting for the Plaintiffs had no such information. Based on our research, Stafford

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appears to have connections to numerous jurisdictions and it is unknown to the Plaintiffs whether Stafford's residential address is in Mexico, England, the Bahamas, or elsewhere.

54. Based on our research, however, the Plaintiffs have good reason to believe that Stafford uses the email addresses admin@oilprice.com and/or james@floatingmix.com.

55. In fact, on October 6, 2021, our lawyers at Blakes emailed a copy of the Amended Claim to Stafford at the above noted-email addresses, requesting that Stafford: (i) confirm receipt of the email; (ii) accept service of the Amended Claim; and (iii) advise whether he would consent to the proposed amendments to the Claim, including his addition as a party. A copy of Blakes' email to this effect is attached as **Exhibit I**.

56. Stafford clearly received notice of the Amended Claim because after Blakes sent that email, Stafford raised the potential conflict arising from Blakes acting against him.

57. Moreover, as touched on above, Stafford retained his special counsel at KSM for the limited mandate of raising the potential conflict by the Blakes firm, and now opposing this motion. However, I understand that KSM has not been retained and may not be retained by Stafford more generally, including in respect of defending the Amended Claim. In other words, I understand that in the event the Plaintiffs are granted leave to file the Amended Claim, KSM does not have and may not be given authority by Stafford to accept service of the Amended Claim on his behalf, and the Plaintiffs will have no method

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of effecting formal service on him. In order for this action to proceed efficiently, it is necessary to have an address for service of future documents on Stafford.

**SWORN** remotely by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on the 5<sup>th</sup> day of January, 2022, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



\_\_\_\_\_  
Commissioner for Taking Affidavits  
(or as may be)

MAURA O'SULLIVAN  
LSO #77098R



\_\_\_\_\_  
Sunny Puri

This is Exhibit "A" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**



Electronically issued : 18-Dec-2020  
Délivré par voie électronique : 18-Dec-2020  
Toronto

Court File No.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

**B E T W E E N:**

(Court Seal)

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

Plaintiffs

- and -

ROBERT LEE DOXTATOR, JACOB DOXTATOR AND JOHN DOE 1,  
JOHN DOE 2, JOHN DOE 3, JOHN DOE 4 AND OTHER PERSONS  
UNKNOWN

Defendants

**STATEMENT OF CLAIM**

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the *Rules of Civil Procedure*, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the *Rules of Civil Procedure*. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date \_\_\_\_\_ Issued by \_\_\_\_\_  
Local Registrar

Address of court office: Superior Court of Justice  
330 University Avenue, 9th Floor  
Toronto ON M5G 1R7

TO: Robert Lee Doxtator  
184 Albert Street  
Belleville, ON  
K8N 3N4

Jacob Doxtator  
1150 Salem Road  
Prince Edward, ON  
K0K 1T0

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## CLAIM

1. The Plaintiffs, Anson Advisors Inc. (“**AAI**”), Anson Funds Management LP (“**AFM**”), Anson Investments Master Fund LP (“**AIMF**” and, together with AAI and AFM, “**Anson**”) and Moez Kassam (“**Kassam**”), claim against the Defendants, Robert Lee Doxtator, Jacob Doxtator, John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the “**Defendants**”), jointly and severally, for

- (a) general damages in the amount of \$100,000,000 for conspiracy, publicity that places the plaintiffs in a false light, intentional interference with economic relations, appropriation of personality and defamation;
- (b) aggravated damages of \$1,000,000;
- (c) punitive or exemplary damages of \$10,000,000;
- (d) special damages to be proven at trial;
- (e) fees and costs incurred by the Plaintiffs in investigating the individuals involved in the Conspiracy (as defined below), and removing the Unlawful Statements (as defined below), in amounts to be proven at trial;
- (f) a mandatory order compelling the Defendants to remove the publications complained of in this action from all Internet websites, online message boards and social media platforms within their control;
- (g) an interim, interlocutory and permanent injunction restraining the Defendants or anyone with notice of the order from republishing the

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Unlawful Statements (as defined below), or publishing further unlawful and defamatory statements about Anson and its current and past personnel;

- (h) pre-judgment interest in accordance with section 128 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (i) post-judgment interest in accordance with section 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (j) the costs of this proceeding on the highest allowable basis, plus all applicable taxes; and
- (k) such further and other relief as to this Honourable Court may seem just.

2. Since at least the summer of 2019 and intensifying to the present, the Defendants Robert Lee Doxtator and Jacob Doxtator have engaged in a scheme with each other and other unknown individuals to damage the business and reputations of a successful securities business, Anson, and its founder, Moez Kassam. Specifically, the Defendants conspired to falsely and repeatedly claim that Kassam is a criminal and that he and his businesses are engaged in conduct that is illegal, unethical, and contrary to Canadian and United States securities regulations. They have, for example, published or encouraged the publication of the following false and defamatory statements:

- (a) “Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions”;

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- (b) “Anson Funds and Moez Kassam have been destroying companies through illegal means...”;
- (c) Kassam is a “corrupted and criminal CIO [Chief Investment Officer] at Anson funds”;
- (d) “If you r an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot information floating out there that paints a picture of scams to benefit none other then Moez Kassam”;
- (e) “In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends”;
- (f) Kassam pursued “questionable and illegal activities” in “an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way: even those who helped him and ended up being disposable”;
- (g) “Moez Kassam & Sunny Puri of Anson . . . put out the report to manipulate the market so they could cover an already short position”;
- (h) “... dirty moez [sic] hurt his business parnter [sic] and lied to the founders of \$apha [Aphria Inc.]”; and
- (i) Kassam and Anson “just use people and don’t pay anyone but themselves”.

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3. Statements accusing the Plaintiffs of illegal and unethical conduct, including market manipulation, fraud, insider trading, breaches of applicable securities law and regulations, and cyber crimes, are false and defamatory. This lawsuit seeks to hold the Defendants, who are located in Canada and likely the United States, accountable for the economic, reputational, and emotional harm their lies have caused.

#### **A. THE PLAINTIFFS**

4. AAI is a corporation incorporated under the laws of Ontario. It is a private asset management firm that serves as the co-investment adviser, exempt market dealer and portfolio manager to several investment funds in which private investors may invest their capital (collectively, the “**Anson Funds**”). It is regulated by the United States Securities and Exchange Commission (“**SEC**”) and the Ontario Securities Commission (“**OSC**”), among other regulatory bodies.

5. AFM is a Texas limited partnership that serves as the investment fund manager for the Anson Funds. It is regulated by the SEC and the OSC.

6. AIMF is a Cayman Islands exempted limited partnership. It is Anson Funds’ flagship investment fund. The Anson investments that are the subject of the Unlawful Statements (as defined below) were undertaken by AIMF.

7. Anson uses multiple strategies to execute its investment program, including both long and short investment strategies and opportunistic investments. One subset of Anson’s short investment strategies includes short selling securities that have the indicia of fraudulent “pump and dump” schemes. In a pump and dump scheme, the perpetrators

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attempt to inflate the value of a stock through false or misleading statements and then enrich themselves at the cost of other shareholders, including but not limited to by way of selling stock, paying inflated salaries, or paying related parties inflated amounts without proper disclosure.

8. Short selling is a legitimate investment strategy that involves borrowing shares from a dealer and selling them in anticipation that the share price will decline. The borrower must later repurchase the shares in order to return them to the lender. If the share price has fallen by the time the borrower repurchases the shares for return, the borrower will earn a profit. By contrast, if the shares increase in value while the borrower holds a short position, the borrower will be required to repurchase the shares at the increased price, causing a loss.

9. Short selling, as a trading activity, is subject to a well-developed regulatory regime in Canada.

10. Anson conducts and reviews research and due diligence on the market and relevant companies to inform its trades, all based on publicly available information. When Anson conducts short sales, its scrutiny may threaten the individuals who perpetrate pump-and-dump and other fraudulent securities schemes, or who otherwise benefit from inflated securities. Anson complies with all applicable investment rules and regulations in all trading transactions it undertakes.

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11. A “naked” short sale occurs when an investor sells shares in anticipation that their price will decline without first having a reasonable belief that it can borrow the shares that it sold. Anson does not engage in naked short selling.

12. The capital markets rely on the free flow of public information about publicly traded companies. Further, publication of analyses of public companies is a routine feature of the capital markets, including where the entity publishing the analysis has made an investment (either short or long) in the securities of the company in question. In the ordinary course of its business, Anson from time to time discusses its research and investment analyses and theses with others in the industry. This is done to conduct research, stress test due diligence and investment theories, learn potentially variant points of view and solicit other independent analyses. To the extent analyses that are published by others align with Anson’s – or other investment funds’ – views, this is simply the result of the various individuals involved applying standard financial analysis to the same publicly available information.

13. Moez Kassam is a founder of Anson, and a director and the principal, Chief Executive Officer and Chief Investment Officer of AAI. Kassam is 40 years old. He founded Saunders Capital Master Fund LP, the predecessor to AIMF, in July 2007 at the age of 26, and has since built Anson into a billion-dollar investment firm. In 2018, Kassam was named to Canada’s Top 40 Under 40 for extraordinary achievement in business and philanthropy. He is an executive member of the Young Presidents Organization’s Maple Leaf Chapter, where he serves as Education Officer. He sits on the boards of directors of the Canadian Olympic Foundation, Toronto Public Library Foundation, Friends of Aseema

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and Kids Cook to Care. He also serves as a line of credit guarantor for Windmill Microlending, which supports immigrants and refugees who come to Canada with education, skills and experience but struggle to resume their careers here.

14. Through the Moez & Marissa Kassam Foundation, Kassam has donated millions of dollars to Canadian charitable causes, including the Sunnybrook Foundation, the SickKids Foundation, Community Food Centres Canada, the Michael Garron Hospital Foundation, the Canadian Foundation for AIDS Research (CANFAR), Together We Stand Foundation, the Institute for Canadian Citizenship, the South Asian Legal Clinic of Ontario and many others. In fiscal year 2020 alone, the Moez & Marissa Kassam Foundation donated over half a million dollars to various Canadian charitable entities.

15. Kassam provides advice with respect to AIMF and all of Anson's other funds under management and is ultimately responsible for Anson's investment strategy, trading and overall investment performance. Kassam is the face of Anson and is well known in the industry as such.

## **B. THE DEFENDANTS**

16. The Defendant Robert Lee Doxtator ("**Robert**") resides in Belleville, Ontario. He is a founder of Harvest Moon Cannabis Company (a company providing research and due diligence services) and is a business development consultant in the cannabis industry. In the past, Robert has shared due diligence with Anson. Robert operates a Twitter account under the username @BettingBruiser. It has over 14,000 followers. The "Betting Bruiser" Twitter profile states: "@HarvestMoon420 Founder -#Potstocks Legal & Business

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Development Consultant Inquiries: HarvestMoonCannabisCo@gmail.com.” It is well known in the Canadian investment industry that “Betting Bruiser” is Robert.

17. Robert, as “Betting Bruiser”, is a prolific Twitter user and has repeatedly used his Twitter account to publish offensive content, including content disparaging of immigrants, women and members of the LGBT community.

18. While Robert holds himself out to be a lawyer, including in posts on the “Betting Bruiser” Twitter account, there is no record of his being admitted to practice law in any province or territory of Canada.

19. The Defendant Jacob Doxtator (“**Jacob**”) is the cousin of Robert. He also resides in Belleville, Ontario. He operates a Twitter account through an alter-ego named “John Murphy” under the username @JohnMur67039142. Unlike with “Betting Bruiser”, it is not commonly known that Jacob operates the “John Murphy” Twitter account. The Defendants went out of their way to use this account to conceal their identities as part of their scheme against Anson. Although Jacob lives in Belleville, the Twitter account states that “John Murphy” lives in the state of Georgia in the United States.

20. The Defendants John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the “**Unknown Defendants**”) are individuals whose identities are presently unknown, but who are believed to have the means and business motivation to seek to harm the Plaintiffs. The Unknown Defendants may reside in the United States or elsewhere outside of Canada. The Plaintiffs will substitute the actual names of these Defendants after they have been discovered.



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21. More generally, the Plaintiffs reserve their right to make, or seek to make, amendments to this pleading to incorporate additional material facts and information that they discover.

### **C. OVERVIEW OF CLAIM**

22. Robert, Jacob (together, the “**Doxtators**”) and the Unknown Defendants are parties to a sophisticated, coordinated scheme to damage the Plaintiffs’ business and reputations (the “**Conspiracy**”).

23. In particular, and as described further below, in furtherance of this Conspiracy, the Defendants maliciously and intentionally entered into an agreement to conspire with one another and committed acts with the predominant purpose of injuring the Plaintiffs by damaging their business and reputations. In addition, or in the alternative, in furtherance of this Conspiracy, the Defendants have acted in a concerted and coordinated effort while using unlawful means aimed at the Plaintiffs, including but not limited to acts that amount to defamation at law, when they knew, or ought to have known, that significant harm to the Plaintiffs would result. In fact, the Defendants have caused significant damage to the Plaintiffs’ business and reputations through their unlawful, improper conduct. Furthermore, the Defendants took sophisticated steps to conceal their identities and advance the Conspiracy anonymously because they knew they were engaged in unlawful conduct. The Defendants are savvy about capital markets and deliberately fabricated allegations about the Plaintiffs – or at best were reckless as to whether the allegations were false – in order to sabotage their business.

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24. In the Conspiracy, the Doxtators coordinated and agreed with one another and with the Unknown Defendants to harm the Plaintiffs through a carefully planned and executed plot. This plot has included fabricating, spreading and publicizing a series of unlawful, abusive, false, malicious, harassing and defamatory statements about Anson, Kassam and other individuals connected with Anson (the “**Unlawful Statements**”); hiring freelance web developers based in Bosnia and Herzegovina to register the websites on which Unlawful Statements were posted, for the purpose of concealing the Defendants’ identities; sending targeted communications containing the Unlawful Statements via email; and attempting to improperly attract regulatory and media attention to the Unlawful Statements. Moreover, the Defendants have sought to disseminate the Unlawful Statements internationally to individuals in (at least) the United States (where the Plaintiffs do business) as well as in Canada, with the intention of causing maximum, widespread harm to the Plaintiffs.

25. Steps taken by the Defendants pursuant to the Conspiracy include the following:

- (a) in summer 2019, some or all of the Defendants, and in particular Robert, began a campaign to spread Unlawful Statements about the Plaintiffs on Twitter through Robert's “Betting Bruiser” Twitter account;
- (b) in July and August 2020, in a further concerted and coordinated effort, the Defendants increased their efforts and conspired to post Unlawful Statements on message boards on the website Stockhouse (which provides market news and analysis regarding companies with small market

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capitalizations, as well as message boards for users to discuss securities issuers). These Unlawful Statements were viewed by many thousands;

- (c) beginning on or around September 27, 2020, after the Plaintiffs took steps to have the Unlawful Statements on Stockhouse removed, the Defendants anonymously wrote, published and disseminated a lengthy Internet post containing Unlawful Statements about the Plaintiffs (the “**Defamatory Manifesto**”) on a series of websites. The Defendants knew that the allegations in the Defamatory Manifesto were false and defamatory, and intended to make and widely distribute these false, defamatory and misleading allegations. They sought to imbue the Defamatory Manifesto with credibility by falsely calling it an “investigation”. It was viewed by tens of thousands;
- (d) the Defendants hired freelance web developers based in Bosnia and Herzegovina to register the websites on which they published the Defamatory Manifesto, to obscure the websites’ origins and conceal the Defendants’ involvement in the publication, something that would only be part of a sophisticated plot;
- (e) after the Plaintiffs were forced to take steps to have websites publishing the Defamatory Manifesto taken down, the Defendants again re-published it on new websites, which were once again created in a manner to conceal their involvement. A version of the Defamatory Manifesto remains available on the Internet;

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- (f) the Defendants used alter-ego Twitter accounts, and/or hired or otherwise procured or involved additional conspirators, to further disseminate and publish links to the Defamatory Manifesto;
- (g) the Defendants, similarly concealing their identities through alter-egos and/or by hiring or otherwise procuring or involving additional conspirators for this purpose, publicized and provided links to the Defamatory Manifesto on various Internet message boards and chat rooms. These message boards and chat rooms related to the Canadian and U.S. securities markets and are frequented by investors;
- (h) the Defendants also used alter-ego Twitter accounts to publish further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs, including wishing harm to come to Kassam, and inciting or encouraging others to harm him;
- (i) the Defendants published further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs through targeted emails sent from an anonymized email address;
- (j) the Defendants sent the Defamatory Manifesto to the media in a concerted but unsuccessful attempt to use the media to further publicize the Unlawful Statements and lend them a false and unwarranted air of credibility; and
- (k) the Defendants attempted to draw the Defamatory Manifesto to the attention of regulators and, based on the Unlawful Statements, encouraged

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unwarranted regulatory scrutiny and investigation of the Plaintiffs, with the aim of disrupting and damaging the Plaintiffs' business and further harming their reputations.

26. As a result of the Defendants' conduct, the Unlawful Statements have been publicized broadly on the Internet, on various websites and online message boards and on Twitter. They have been disseminated widely, causing unwarranted adverse publicity for Anson that has significantly disrupted and damaged its business.

27. The Defendants have the means to attack Anson through the Conspiracy and may be motivated by an animus against Anson because of its scrutiny of overvalued stocks and pump-and-dump schemes, some of which the Defendants may have stood to benefit from. In particular, the Plaintiffs believe that the Defendants have targeted them in their malicious and illicit Conspiracy because part of Anson's investment strategy involves scrutinizing overvalued companies, including, in the past, those in the cannabis industry.

28. As was the case with other investment firms in 2018, one of Anson's investment strategies involved short-selling securities of several Canadian-operated publicly listed cannabis companies that it believed to be overvalued. Many investment firms, in the ordinary course of business, established short positions against Canadian cannabis companies whose stock prices they believed to be extended beyond the company's fundamental value. Some of these cannabis companies were referred to in the Unlawful Statements.

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29. The Unlawful Statements falsely attribute to the Plaintiffs an almost preternatural power to choose securities where they can cause the share price of a company to decline. The Plaintiffs did not cause the share prices of the companies mentioned in the Unlawful Statements to decline. Market fundamentals – alongside overall waning investor sentiment and the actual performance of these companies, among other factors – did. In most cases, the valuations of such companies are down 70% or more since their peak.

30. Moreover, the Defendant Robert has an animus against Anson and Kassam, which is in part based on his claims that he has not been paid for due diligence that he shared with Anson. In October 2020, he aggressively attempted to obtain a significant and unwarranted amount of money from Anson, plus an indemnity and immunity, in exchange for certain due diligence he shared with Anson, and for information on the identity of the Unknown Defendants, which he confirmed he knew. Robert utilized the circumstances – the publication of the Defamatory Manifesto and other Unlawful Statements – to attempt to pressure Kassam and Anson to pay him significant amounts, giving his demands the air of extortion. While not all aspects of Robert's animus against Anson and Kassam are known to the Plaintiffs, the animus is consistent with past racist tweets by Doxtator, and in light of the fact that Kassam, other senior employees at Anson, and their spouses are not Caucasian.

31. Though all of the parties behind the Conspiracy to damage the Plaintiffs' business and reputation are not known at this time, the damage wrought from their illegal conduct is clear.

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**D. THE DEFENDANTS' CONSPIRACY AGAINST THE PLAINTIFFS**

**(i) *Beginning in late 2018, Robert develops animus towards Plaintiffs***

32. Anson and Kassam first met Robert in late August 2018, where they discussed the prospect of him providing consulting services to Anson via the company founded, Harvest Moon Cannabis Company. In the following months, Robert shared limited due diligence with Anson, but Anson ultimately decided not to engage him further.

33. Sunny Puri ("**Puri**") is a Principal and Portfolio manager at Anson, where he has worked since 2013. Robert has a particular longstanding malevolent animus towards Puri, which includes threatening violence.

34. In the months after August 2018, Robert became irrationally angry with Anson, and Puri in particular, because Robert thought – incorrectly – that Anson had traded profitably on the limited due diligence he provided and shared the information with others. In November 2018, Robert told Allen Spektor (the person who introduced Robert to Anson) that he wanted Puri fired. On November 8, 2018, Robert wrote to Spektor via a messaging app that "I'm never moving on...And if I see sunny [sic] I might kick him in the teeth[.] Straight up[.] Your friend is a SHYSTER".

35. In or around August 2019, Anson offered to pay a sum commensurate with other limited due diligence Robert provided. Robert took issue with the amount Anson had offered to pay him and began to threaten legal action, as well as physical violence and other retribution.

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36. On August 21 and 22, 2019, Robert sent Kassam the following messages (emphasis added):

***I'm working on a report***

***It's called the biggest predatory fund in Potstocks...***

I'm going to talk to my lawyer also cause I'm sick [of] people like trying [to] fuck me over...

I'm going to talk to my lawyer sorry Moez sick of this...

***So tomorrow I reveal your friendly bear***

Just getting started

Reports ready to go...

***You fucked over wrong person for last time Moez***

Tweets pretty popular

Media already texting me for the story

37. In September 2019, while Puri was in a meeting at a professional conference at the Shangri-La Hotel in Toronto, Robert threatened to physically assault him in front of other conference attendees.

***(ii) In Summer 2019, Robert launches a Campaign to spread Unlawful Statements about the Plaintiffs***

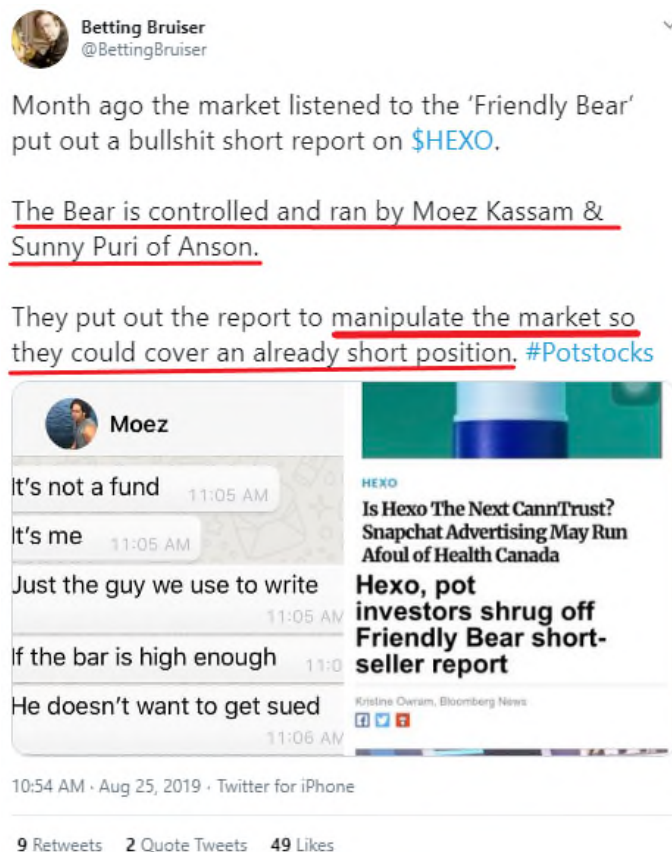
38. In late August 2019 – a few days after threatening to begin to publicly “reveal” purported content about Anson – “Betting Bruiser” unleashed a series of tweets making false and defamatory Unlawful Statements about the Plaintiffs. Just as Robert had threatened Kassam, “Betting Bruiser” tweeted false allegations that Anson and Kassam



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had commissioned a report that the Friendly Bear, an independent research outfit, had published regarding Hexo Corp., a cannabis company. In particular:

- (a) on August 25, 2019, “Betting Bruiser” tweeted false allegations about Anson’s purported involvement in the Friendly Bear report. He falsely alleged that Anson “controls” the Friendly Bear – which allegations also appeared in the Defamatory Manifesto over a year later. He included in the tweet a screen shot of text messages from Kassam, which he presented out of context and in a misleading manner (emphasis added below):



As described above, publication of public company analysis is a routine feature of the capital markets. Anson and other market participants

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routinely share investment theses (based on publicly available information) with others in the industry for the purpose of stress testing such theses. To the extent individuals publish reports on public companies, these may or may not accord with the views of Anson and other investment firms. Anson does not “control” such analysts, who independently form their own views regarding companies and independently choose if and when to publish reports;

- (b) later the same day, he tweeted about his plan to “expose” Anson:



- (c) on August 26, 2019, “Betting Bruiser” published several tweets falsely alleging that Anson used a representative, Adam Spears, on the Board of Directors of a cannabis company named Zenabis Inc. (“**Zenabis**” or “**\$ZENA**”) to negatively influence the company’s business decisions and reduce its share price:

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Betting Bruiser  
@BettingBruiser

A lot DM's about \$ZENA & Anson Funds.

Anson Funds holds a boatload of converts in \$ZENA that they are using to cover their short position.

They've had a direct hand creating chaos within management decisions. Including the listing price. How so? Anson representative! #Potstocks



Adam Spears  
Independent Director

- (d) later that same day, he tweeted false allegations that Spears was recording conversations among Zenabis management so that Anson could blackmail the company or use the information to its detriment (emphasis added below):



Betting Bruiser @BettingBruiser · Aug 26, 2019

As in the case with \$HEXO ... I wouldn't doubt that Adam is recording conversations of \$ZENA management and executives in hopes of Anson blackmailing or using the info for the detriment of the company. Adam needs to be removed. #Potstocks

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39. On March 11, 2020, “Betting Bruiser” tweeted a photo of Puri, commenting: “The biggest chicken hawk that I’ve ever met in my life. Every time I see him we have words. Sunny Puri from Anson Funds. If you’ve ever crossed paths with him then your stock is likely -95% from its high and he holds your [fate] in his hands via convertible debt. #PotStocks”.

***(iii) In Summer 2020, the Conspiracy spreading Unlawful Statements about the Plaintiffs expands***

40. In July and August 2020, the Defendants conspired to spread the publication of the Unlawful Statements on the Internet, including via posts published on the website Stockhouse and dated July 23, August 14, August 17, and August 28, 2020 (collectively, the “**Unlawful Stockhouse Statements**”).

**The July 23, 2020 Stockhouse Post**

41. The Defendants conspired to anonymously publish a post titled “The Real Story on Moez Kassam and Anson Funds – Part 1” on Stockhouse on July 23, 2020, under the pseudonym “JusinTime” (the “**July 23 Stockhouse Post**”):



42. The July 23 Stockhouse Post called Kassam a “criminal” and included statements accusing him of engaging in illegal, unethical, and “corrupt” business practices as well as egregious personal attacks, which were intended to damage his reputation and turn investors away from him. The accusations are false and defamatory.

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43. The July 23 Stockhouse Post accused Kassam of being “corrupt and criminal” and asserted that his practices included “treading on people, lying and using every trick in the book to bring companies down that he bet against” (emphasis added below):

So here is the beginning part of the tale about the corrupt and criminal CIO at Anson funds?  
A few short years ago Moez Kassam was a high flying star in the hedge fund space. He had \$1 billion under management (now down to \$250 million and falling) and was the praise of the financial community. But what people don't know is that his media praise was paid for (like when Toronto Life covered his wedding – paid for and made to look like an editorial - shame), But even worse he made his money the dirty way, treading on people, lying and using every trick in the book to bring companies down that he bet against. Whatever it took, whoever he ruined financially or reputation wise he would do it to turn a profit.

44. In particular, the July 23 Stockhouse Post discussed Anson’s investment in the cannabis company Tilray Inc. (“**Tilray**”). The post falsely asserted that, during this period, Anson had “a large naked short position” which posed a “significant credit risk” to its creditors, and that Anson committed “numerous securit[ies] violations [in] ever f[l]avour imaginable” in order to protect its solvency.

45. The July 23 Stockhouse Post also falsely stated that Anson was “again caught naked” in relation to another company, Facedrive Inc. (“**Facedrive**”), falsely implying that Anson’s conduct was abusive or illegal and asking the Investment Industry Regulatory Organization of Canada (“**IIROC**”) if it would be investigating “how Moez creates paper”. Anson does not engage in naked short selling.

46. The July 23 Stockhouse Post stated that the Plaintiffs were “bad actors” who are “getting away with” “huge regulatory infringements”, and that there were “zero repercussions for their illegal behaviour.”

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47. The July 23 Stockhouse Post claimed that further allegations of “corruption, lies and foul play” against the Plaintiffs were forthcoming, and concluded with, “Stay tuned especially IIROC, juicy bits coming for you folks.”

48. Jacob, who maintains a Twitter account through an alter-ego named “John Murphy” with the username @JohnMur67039142, tweeted a link to the Stockhouse July Post ***on the day it was published***:



The timing demonstrates insider knowledge that the July 23 Stockhouse Post was being published.

49. Shortly after the publication of the July 23 Stockhouse Post, “John Murphy” issued tweets predicting more publications about Plaintiffs would soon “come out.” For example:



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50. “John Murphy” included the Twitter accounts of The Globe and Mail and its reporter David Milstead, as well as BNN Bloomberg, in this tweet in order to draw these allegations to the media’s attention.

### The August 14, 2020 Stockhouse Post

51. The Defendants conspired to publish a further defamatory and anonymous post on Stockhouse on August 14, 2020 titled “Moez Kassam and Anson Funds – Short \$500 M and Lose It All” under the pseudonym “evtrader” (the “**August 14 Stockhouse Post**”):



52. This post made similar allegations to the July 23 Stockhouse Post.

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53. The August 14 Stockhouse Post continued the egregious and baseless personal attacks against Kassam, referring to him disparagingly as an “awful little grot” and falsely stating that the Plaintiffs “lost \$500 million on a Tilray short”.

54. The August 14 Stockhouse Post also stated that “regulatory fire...will be coming [Kassam’s] way soon.” This was one of several attempts to draw regulatory attention to Anson, and falsely imply that the Plaintiffs were engaged in behavior that violated securities regulations.

55. Also on August 14, 2020, “John Murphy” retweeted the false claim that Anson was behind the report produced by Hindenburg Research (“**Hindenburg Report**”) regarding Aphria Inc. (“**Aphria**”), a cannabis company, and predicted that the “story will be all over the streets within months”. This tweet included a photo of Kassam that later appeared in the Defamatory Manifesto, and also included the Twitter account of BNN Bloomberg to draw the allegations to its attention. The tweet read as follows:



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56. The same day, “John Murphy” tweeted additional allegations:

\$FD #moezkassam paid for negative promotions on \$FD [Facedrive Inc.] \$apha [Aphria] \$tlry [Tilray] and many more. Was this disclosed by publisher? @AnsonGroupFunds @HindenburgRes @BNN Bloomberg @BettingBruiser \$tlry \$apha \$shortsellers @IIROCinfo

### **The August 17, 2020 Stockhouse Post**

57. The Defendants conspired to continue their scheme to harm the Plaintiffs by anonymously publishing a post on Stockhouse on August 17, 2020 titled “The Real Story on what happened with Moez Kassam and Aphria”, under the pseudonym “Bundyj” (the “**August 17 Stockhouse Post**”):

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Bundyj (members/bundyj) (13)  
User Actions

August 17, 2020 - 04:19 PM  
1509 Reads  
Post# 31419651

The Real story on what happened with Moez Kassam and Aphria

58. The August 17 Stockhouse Post alleged that Kassam is “a **corporate sociopath** of the worst kind...He talks the talk and **worms his way into friendships that he fully plans to betray** for a dollar at the first opportunity.”

59. The August 17 Stockhouse Post alleged that Anson had invested in Aphria, but that following Anson’s “failed short campaign against Tilray”, the Plaintiffs “became desperate” and “**decided to betray [Kassam’s] friends and colleagues at Aphria.**”

60. The August 17 Stockhouse Post falsely stated that the Plaintiffs commissioned the Hindenburg Report to publish negative material regarding Aphria, and that the Plaintiffs provided Anderson with “sensitive, insider information that [Kassam] obtained from his friendships with Aphria management and founders”.

61. The August 17 Stockhouse Post also falsely claimed that, shortly before the Hindenburg Report was released, the Plaintiffs took a short position in Aphria so that they could profit from the diminution of its stock price. Aphria’s stock fell following the release of the report, and the post claimed that, “to the outside world Kassam feigned shock...to avoid suspicion even though he had orchestrated the entire scheme and illegally fed Nate insider information.”

62. The August 17 Stockhouse Post implied Anson’s conduct violated securities regulations by encouraging regulators to investigate the allegations it contained. It

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concluded by encouraging readers to “[c]opy and share as I’m sure Moez will try to have this post removed.”

63. Shortly after the August 17 Stockhouse Post was published, Anson received an anonymous telephone call at its offices threatening harm to Anson and Kassam.

64. On August 21, 2020, Robert texted Spektor about Puri, commenting: “When I see Sunny...I’m punching his ticket...I’ve chased sunny now twice now...Ran like a bitch”. In the same conversation, he implied that he could have physical harm done to Kassam: “I’m well connected also ... *if I wanted someone to visit Moez I could [have] had it done already* but just moved past it and it’s his loss now”.

### **The August 28, 2020 Stockhouse Post**

65. The Defendants conspired to anonymously publish a post on Stockhouse on August 28, 2020 titled “Moez Kassam and Anson at it again – you guys got off lightly”, under the pseudonym “stocknsyrup” (the “**August 28 Stockhouse Post**”):

**Moez Kassam and Anson at it again – you guys got off lightly**  
(/companies/bullboard/v.fd/facedrive-inc?postid=31470222)



stocknsyrup (/members/stocknsyrup) (1) | August 28, 2020 12:43 pm

66. The August 28 Stockhouse Post alleged that Anson invested in Zenabis and appointed a “**stooge**”, Adam Spears, to Zenabis’ board. Among other things, it falsely and maliciously asserted that Anson used Spears to “convince...Zenabis to do all sorts

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of things that were hugely detrimental to the company and geared towards its destruction”.

67. The August 28 Stockhouse Post falsely stated that Spears was “feeding Kassam insider information so Kassam could better time the short sells and make even more money. YES, THIS IS ILLEGAL!”.

68. The August 28 Stockhouse Post asserted that the “coup de grace” for Zenabis was Kassam and Spears convincing it to pursue an initial public offering at an overvalued valuation so that, due to Anson’s short position, Kassam would have “a massive win” when Zenabis’ share price fell. It claimed that the Plaintiffs “made a fortune on this” scheme. The post falsely asserted that the Plaintiffs’ conduct “**completely destroyed Zenabis and its shareholders, and it was illegal every step of the way**”, and encouraged regulators to investigate.

**(iv) After the Plaintiffs expend resources to remove the Unlawful Stockhouse Statements, the Defendants conspire to expand the Conspiracy’s online attack**

69. Following communications with Stockhouse and in light of its website terms and conditions of use, which prohibit unlawful or defamatory content, the Plaintiffs were able to have the Unlawful Stockhouse Statements removed from the Stockhouse website.

70. Almost immediately after the removal of the Unlawful Stockhouse Statements, the Defendants conspired to curate a lengthier publication adding to the false and defamatory statements they previously published. Then they took to other means to broadly

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disseminate the Unlawful Statements as part of their concerted and coordinated effort to defame the Plaintiffs.

71. On September 10, 2020, “John Murphy” tweeted that regulators should scrutinize Anson and Kassam, tagging the Twitter accounts of Robert (“Betting Bruiser”); Jeff Kehoe, head of enforcement of the OSC; and Daniel Dale, a reporter with CNN who formerly reported for The Toronto Star:

these reverse pump and dumps must be watched more closely by the regulators. moez and his band fund these trades every week @ClarityToast finds the next fraud that he is paid to profile. @BettingBruiser @ddale8 @JeffKehoeOSC \$apha \$fd \$gfl \$nkla

72. A few days later, on September 12, 2020, “John Murphy” tweeted (emphasis added):

***anson is a very corrupt*** cad fund naked [sic] shorting many small cap co's and when they get in trouble / want to cover ***they pay groups like @HindenburgRes to say the co is a fraud and going to zero.*** how many zeros have they called, the bottom is normally around when the piece comes out

73. On or around September 27, 2020, the Defamatory Manifesto – a 20-page rant titled “Moez Kassam and Anson Funds: A Tale of Corruption, Greed and Failure” – appeared on the website [www.MoezKassam.com](http://www.MoezKassam.com). It was published anonymously under the pseudonym “The Match Man”. Robert, Jacob and the Unknown Defendants wrote, contributed to, provided material for, and/or publicized and disseminated the Defamatory Manifesto, as set out below.

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74. In the weeks after the Defamatory Manifesto was published, Anson received two anonymous telephone calls at its offices threatening harm to Anson and physical harm to Kassam personally.

**(v) The Defamatory Manifesto expands on previously published false statements and falsely states and implies that the Plaintiffs' behavior was illegal, unethical, and/or in violation of securities laws**

75. The Defamatory Manifesto contains many serious and inflammatory allegations regarding the Plaintiffs that are entirely false and that the Defendants knew or ought to have known were false. It repeats and expands on the baseless claims made in Robert's August 2019 tweets and the Unlawful Stockhouse Statements. It falsely and maliciously accuses Anson, Kassam, and other Anson personnel, including Puri, of dishonest and illegal activities that included the following: short-selling schemes, which the Defamatory Manifesto alleges were illegal, even though short selling is a legal trading strategy; insider trading; fraud; and other breaches of securities laws and regulatory rules and policies, among other things.

76. Although the Defamatory Manifesto was published anonymously, it references many precise topics that the Doxtators had previously tweeted false claims about.

77. From its first paragraph, the Defamatory Manifesto accuses the Plaintiffs of engaging in criminal and unethical conduct (emphasis added):

***Never has there been a bigger scourge of the Canadian capital markets. Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions. In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and***

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***untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends. Now, the other shoe is about to drop as Kassam's funds run out and a string of failed attempts at illegal destruction leave this naked short seller truly naked.***

78. The Defamatory Manifesto labels Kassam the “Toad of Bay Street”, with a large photograph of a toad, and advises readers to “steer clear” from Kassam’s ***“illegal activities.”***

79. The Defamatory Manifesto makes clear that its purpose is to paint Kassam as “the symbol of everything that is wrong with capital markets” and that with the “help” of “Kassam’s acquaintances [who] have flipped amid all the betrayal,” a “team of investigators is following all the threads of the ***questionable and illegal activities Kassam has pursued in an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way***: even those who helped him and ended up being disposable.”

80. The Defamatory Manifesto falsely implies that the Plaintiffs have violated securities regulations. It improperly and maliciously encourages regulators, such as the OSC, SEC and IIROC, to investigate the Plaintiffs and implores them to “Pay Close Attention” to ***“high-functioning sociopath”*** Kassam. It claims that Kassam is “pinging [the] regulatory radar quite loudly” and that, in addition to Canadian regulatory scrutiny, the Plaintiffs’ “[d]irty deals in the U.S. are going to haunt [Kassam] as well—and the SEC has razor-sharp teeth.”

81. The Defamatory Manifesto gives the false impression that the Plaintiffs were already under regulatory investigation. Later modified versions of the Defamatory

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Manifesto state at the outset: “IMPORTANT UPDATE: **OSC and IIROC are now aware of Anson’s illegal market activities** and are asking the public for information. The regulators need your help. If you have information for them or have been hurt because of their actions please get in touch... Do not be silent – help them clean up the capital markets”. This part of the Defamatory Manifesto includes a link to an OSC media release that has no known connection to Anson, in an attempt to lend further credibility to the false notion that the Plaintiffs are under investigation.

82. The Defamatory Manifesto implies falsely that the Plaintiffs engaged in “naked short selling” by stating that they were the “primary inspiration” of a forthcoming bill to prohibit “naked short selling in Canada.”

83. The Defamatory Manifesto calls the Plaintiffs’ fully legal short-selling strategy “**illegal**” and claims that Kassam has “**lost friends...almost all of whom he betrayed in underhanded and illegal short-selling schemes**, including the best man at his wedding whom he threw under a speeding short-selling bus”.

84. While this allegation is false, Robert is one of the few individuals who has information about the relationship between Kassam and his best man.

85. The Defamatory Manifesto claims that “Moez Kassam’s MO” and the Plaintiffs’ general investment strategy is to invest in small companies in need of cash to “buy influence”; purposefully place the company “into a vulnerable position” in order to drive down its share price; and then short-sell the company’s shares “by a far greater amount”



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than their initial investment. It falsely asserts that “[p]rivate placement money coming from Moez Kassam is toxic money that comes with self-destructing strings attached.”

86. Under the heading “**How Moez Kassam Cheated Zenabis**”, the Defamatory Manifesto falsely accuses Kassam of engaging in a “game” in which he took a “visible long position” in Zenabis and a “much larger (10x) secret short position” to cause Zenabis’ share price to go down. It falsely states that Kassam effectuated his scheme by placing “a figurehead as the director of [the] company” – Adam Spears – and convincing him to go public at “the highest possible valuation” to “set up a massive downside potential for Kassam to make a killing shorting” its shares. The Defamatory Manifesto also alleges falsely that Spears “fed” Kassam material non-public information that the Plaintiffs then leaked to the public, and which the Plaintiffs also used to time short sales advantageously. The Defamatory Manifesto claims that the Plaintiffs replaced Zenabis’ CEO after he discovered the “scheme”, and installed a new CEO whom they convinced “to dig his own grave” because they “were in control” of Zenabis “through their **stooge, Adam Spears**”. The Defamatory Manifesto asserts that the Plaintiffs’ “dirty short selling strategies” had “completely destroyed Zenabis, taking it from a \$950-million market cap company all the way down to around \$50 million over dinner and drinks.”

87. These are false allegations that Robert had previously made using the “Betting Bruiser” Twitter account, prior to the Defamatory Manifesto being published. These allegations were also included in the Unlawful Stockhouse Statements.

88. The Defamatory Manifesto continues with respect to Aphria. It falsely accuses Kassam of being “the mastermind” behind the Hindenberg Report by using Puri – who it

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says “makes bottom feeders look appealing” and did all the “dirty legwork”— to “illegally feed” its author Nate Anderson “sensitive, insider information that he obtained from his friendships with Aphria management and founders – sprinkled with exaggerated lies”. The Defamatory Manifesto asserts that the Plaintiffs were “a large holder of Aphria stock” and short sold shares immediately before release of the Hindenburg Report, which “irreparably damaged” and “crashed Aphria stock”. The Defamatory Manifesto claims that Kassam “**betrayed**” his “friends” and then “feigned shock...to avoid suspicion even though he had **orchestrated the entire scheme and illegally fed Nate [Anderson of Hindenburg Research] insider information.**”

89. The Unlawful Stockhouse Statements contained the same allegations regarding the Plaintiffs and Aphria, as did the “John Murphy” tweets from before the Defamatory Manifesto was published.

90. The Defamatory Manifesto falsely alleges that the Plaintiffs engaged in a similar scheme with Genius Brands International, Inc. (“**Genius**”), a children’s entertainment company. It falsely states that Plaintiffs engineered a “pump and dump” scheme whereby they raised Genius’ share price by commissioning favourable reports from “pumpers” on social media, and then took “significant short positions” immediately prior to the release of a negative report that they commissioned Nate Anderson of Hindenburg Research to write. The Defamatory Manifesto also falsely claims that Kassam had provided vetted “insider” information to Anderson to assist with writing that report. The Defamatory Manifesto’s allegations regarding Genius maliciously conclude by implying the Plaintiffs violated securities regulations: “The Toad of Bay Street—dipping his webbed feet

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precariouly into SEC waters—rode [Genius] all the way up and then shorted it all the way down—disgusting.”

91. The Defamatory Manifesto falsely accuses the Plaintiffs of engaging in a similar illegal scheme with Facedrive. It falsely states that Plaintiffs took “a huge naked short” position in Facedrive, “panicked,” and in order to drive down its share price, commissioned Anderson of Hindenburg Research to publish a negative report regarding Facedrive. The Defamatory Manifesto claims, falsely, that Kassam told others about the report “days before it went out”, which it characterized as “insider trading”. The Defamatory Manifesto claims that the report “failed to generate the negative action [Kassam] needed to avoid losing what remains of his fund” and that he “lied to the banks” regarding his Facedrive investment. It warns that Facedrive should “be prepared for another assault out of desperation” because the Plaintiffs are “desperately trying to drive this stock lower”. It states that Plaintiffs would publish a further negative report from researcher “The Friendly Bear”, which the Defamatory Manifesto falsely states was a pseudonym for Kassam and Puri. It also alleges that the Plaintiffs’ banks were helping them with this “illegal” scheme. The Defamatory Manifesto alleges that Anson and Kassam were behind “The Friendly Bear” research report regarding Facedrive – an allegation that is clearly false since no such report exists.

92. As referenced above, “John Murphy” had previously made similar false assertions about the Plaintiffs and Facedrive. “Betting Bruiser” had also previously tweeted the allegation that the Plaintiffs controlled the Friendly Bear, before the Defamatory Manifesto was published.

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93. The Defamatory Manifesto falsely alleges that Tilray had “been the victim of an Anson Funds scheme (which failed)”, and that Anson’s “disastrous attempt to short much larger Tilray” caused “a liquidity crisis” for Anson, which lost hundreds of millions of dollars “in the scheme”. The Defamatory Manifesto further alleges that, having “lost around \$80 million on this dodgy short strategy”, Kassam “nearly lost everything” and had to “grovel” to raise capital for Anson.

94. The Defamatory Manifesto falsely alleges that Anson underpays or “stiffs” people. Robert has made similar allegations that he was not compensated for past due diligence he shared with Anson using the “Betting Bruiser” Twitter account.

95. The Defamatory Manifesto encourages readers to share and re-publish it. It also solicits readers to provide additional material regarding Anson and Kassam for future posts. The Defendants created and provided email addresses, such as info@moezkassam.com, to which readers could confidentially send information and are threatening to take this information to regulators. Some correspondence with this email “tipline” was signed by “Robert”.

96. The earliest published version of the Defamatory Manifesto purported to be a standalone document. The Defamatory Manifesto was later amended to allege that it was the first of a three-part series (similar to the “Part 1” concept used in the title of the July 23 Stockhouse Post). To Anson’s knowledge, the other two parts have not yet been published. If they are, and they contain false, malicious and defamatory content similar to the Unlawful Statements already contained in the Defamatory Manifesto, they will cause further, irreparable damage to the Plaintiffs’ business and reputations.

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**(vi) *The Defendants procured at least eight internet domains to facilitate widespread publication of their Defamatory Manifesto***

97. Following communications with the host of the www.MoezKassam.com domain, the Plaintiffs were able to have Defamatory Manifesto removed from that website.

98. Since that time, the Defendants acquired multiple Internet domain names to republish the Defamatory Manifesto online. To date, the websites acquired and used by the Defendants to publish the Defamatory Manifesto include the following:

- (a) www.MoezKassam.com;
- (b) www.StockManipulators.com;
- (c) www.CapitalMarketCrimes.com;
- (d) www.StockManipulators.org;
- (e) www.CapitalMarketCrimes.org;
- (f) www.MarketCrimes.ws;
- (g) www.MarketCrimes.to; and
- (h) www.CapitalMarketCrimes.to.

99. When the Plaintiffs have taken steps to have a website containing the Defamatory Manifesto taken down, the Defendants have republished the Defamatory Manifesto on a new website, forcing the Plaintiffs to seek to have that new post of the Defamatory Manifesto taken down. Each time the Defamatory Manifesto is republished online, it increases the harm and damage to the Plaintiffs. The Plaintiffs' claim against the Defendants is in relation to all versions of the Defamatory Manifesto that any of the

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Defendants published on the Internet, regardless of any differences between published versions of the Defamatory Manifesto.

100. The Defendants did not acquire the domain names directly. Rather, in order to cover their tracks and frustrate the Plaintiffs' efforts to determine who was behind the Defamatory Manifesto, the Defendants hired Emir Hodzic, a freelance web developer based in Serajevo, Bosnia and Herzegovina, and potentially others, to register the websites on their behalf. This was a sophisticated attempt to obfuscate who was behind the Defamatory Manifesto and shield members of the Conspiracy from liability for their misconduct.

101. Despite Anson's requests, the current web hosts of the Defamatory Manifesto on [www.MarketCrimes.to](http://www.MarketCrimes.to) and [www.CapitalMarketCrimes.to](http://www.CapitalMarketCrimes.to) have refused to remove it. These websites were accessible on the Internet until recently before the date of the Statement of Claim.

102. The Plaintiffs expended considerable resources in response to the Defendants' online attack, including but not limited to hiring investigators in North America and overseas, and containing web registrars, hosts, message boards to mitigate the harm.

103. After the Plaintiffs worked with website registrars to have the Defamatory Manifesto removed from the websites described in paragraphs 98(a) through 98(f), the Defendants falsely alleged that Anson had undertaken a "Distributed Denial-of-Service" or "DDoS" attack – a type of illegal cyber attack – in order to have the Defamatory

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Manifesto removed, further defaming Anson. This is false: the websites were voluntarily taken down by the website hosts or registrars.

**(vii) *The Defendants conspire to lead widespread dissemination of the Defamatory Manifesto***

104. ***On the day the Defamatory Manifesto was initially published***, September 27, 2020, “John Murphy” tweeted the first link to the Defamatory Manifesto on [www.MoezKassam.com](http://www.MoezKassam.com) – again demonstrating the involvement of the Doxtators in the Defamatory Manifesto and its proliferation. He included in his tweet the Twitter accounts of The Globe and Mail newspaper and BNN Bloomberg, with the aim of drawing the Unlawful Statements in the Defamatory Manifesto to their attention. From that initial tweet, the Defamatory Manifesto was reposted, shared and publicized widely around the Internet, including through social media.

105. On the same day, the Defendants anonymously sent an unsolicited email containing a link to the Defamatory Manifesto to a reporter at The Globe and Mail in an attempt to have the Unlawful Statements further publicized in the media. The Defendants used the email address “capitalmarketsinvestigation@protonmail.com”.

106. The Defendants also anonymously sent unsolicited emails containing a link to the Defamatory Manifesto (along with the false and defamatory content set out below) to individuals in the financial industry (the “**Unsolicited Emails**”). One version of the Unsolicited Emails was sent from the address “info@stockmanipulators.org” with the subject line “Hedge Fund Scandal in Canada and the U.S.: Moez Kassam and Anson Funds accused of Stealing Billions.” Another version of the Unsolicited Emails had the

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title “Urgent News Tip – Huge Hedge Fund Fraud in America and Canada’s Stock Markets”.

107. The Unsolicited Emails sharing the Defamatory Manifesto contained further Unlawful Statements against the Plaintiffs. One version of the email included the following (emphasis added):

This is a huge developing story on insider trading, market manipulation and fraud within America and Canada’s capital markets that I thought you might be interested in.

**Anson Funds and Moez Kassam have been destroying companies through illegal means** and their partners are some of the largest banks in the world.

The below investigative report looks at which banks are involved and how the fraud has taken place. A lot of very powerful people are going to find themselves under fire....

From what I have been led to believe Anson Funds have sponsored a huge DDOS attack against the various sites that hosted the article and they have all gone down now.

**The report obviously has these crooks very concerned and they are desperate no one reads the report. So we can now add cyber crimes to Anson’s list of wrongs as well.**

108. Another version of the Unsolicited Emails stated the following:

We have a new tip for you that involves the almost unbelievable activities of a hedge fund based in the U.S. and Canada that has broken countless laws and because of their actions have taken billions from ordinary investors and destroyed a huge number of companies.

Please take a moment to read this piece: [link to “MarketCrimes.to”].]

You might have heard rumours about it – but it has been going up and down due to huge DDOS attacks from the hedge fund in question who do not want this information getting out.



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A second part will be coming soon but this really is a story that needs to see the light of day and I'm hoping you can share this piece with as many people as possible.

109. These Unsolicited Emails were designed and intended to further harm the Plaintiffs and damage their reputation in the financial industry.

110. On September 28, 2020 – the day after the Defamatory Manifesto was first published – Robert texted Spektor (the contact who introduced him to Anson) the following in reference to the Defamatory Manifesto (emphasis added):

***I knew it was coming...***

***I know who wrote...***

Moez likely going [to] sue

111. On September 29, 2020, "Betting Bruiser" tweeted a link to the Defamatory Manifesto, commenting:



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112. On September 29, 2020, shortly after Anson was able to have the Defamatory Manifesto taken down from [www.MoezKassam.com](http://www.MoezKassam.com), Jacob quickly tweeted a new link to the Defamatory Manifesto on a different website, [www.StockManipulators.com](http://www.StockManipulators.com) – again showing the Doxtators’ involvement in the Defamatory Manifesto. He again included the Twitter accounts of the Globe and Mail, and reporter David Milstead, in his tweet:



113. On September 29, 2020 “John Murphy” also tweeted:

big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]

114. On September 30, 2020, Robert referenced the Defamatory Manifesto in a “Betting Bruiser” tweet to advance his allegation that he was unpaid for certain due diligence:

Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don’t pay anyone but themselves. \$ZENA \$APHA #PotStocks

115. On September 30, 2020, in response to an Anson press release denouncing the Unlawful Statements, “John Murphy” commented:

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Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response. we are waiting @MunchingMoez ansonfunds.com/wp-content/upl...  
@QTRResearch @BettingBruiser @LamboJohnny @weedstreet420  
@davidmilstead

116. During this time, “John Murphy” re-tweeted several tweets publishing links to the Defamatory Manifesto. He also re-tweeted several of Robert’s tweets about the Plaintiffs, as well as those of other Twitter users sharing and discussing the Defamatory Manifesto, reflecting the Defendants’ concerted and coordinated effort to defame the Plaintiffs. He also repeated false allegations of a DDOS attack by Anson, in replying to a tweet by “Betting Bruiser” that contained a link to the Defamatory Manifesto with the following false allegation:

sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$gfl \$shrm many more

***(viii) Shortly after its publication, Robert attempts to leverage the Defamatory Manifesto to extract money from the Plaintiffs and magnify his attacks***

117. In early October 2020, Kassam approached Robert for information about who was behind the Defamatory Manifesto. In those conversations, Robert sought \$75,000 from Anson in relation to the due diligence he had provided, referenced in his September 30 tweet, and aggressively suggested that far more would be needed for information regarding the Unknown Defendants. He also sought blanket immunity, indemnification and a release from Anson before he would provide assistance, clearly attempting to use purported leverage against Kassam and Anson. In particular, Robert alleged that the

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Unknown Defendants had promised to pay him \$250,000 to assist them, insinuating that a similar or greater amount would be needed from Anson in order for Robert to forego assisting the conspirators and/or to provide assistance to Anson.

118. In a Whatsapp chat on October 1, 2020, Robert, using the username “Betting Bruiser”, sent Kassam the following messages (emphasis added):

I sent invoice for what I think you owe me ... if you don't pay it

***I can make 250k going to the other side***

And that's not owed to me ... ***that's just to help bury you. Choice is yours.***

[...]

Again ... I sent invoice for \$75k [which] I think is fair for what you owe me ... I wanna sign indemnification... then we go from there. I'll try my best to get you what you need. That's all.

119. On October 9, 2020, Kassam informed Robert via Whatsapp chat that Anson would no longer negotiate with him given his involvement in the Conspiracy. Anson was not prepared to provide Robert with payments or a release/indemnity. In response, Robert told Kassam that he had recorded a telephone conversation between them.

120. Shortly after the message exchange on October 9, “Betting Bruiser” published a series of tweets making false, defamatory, malicious and harassing allegations against Anson, Kassam and other individuals associated with Anson. Among other things, these tweets were in retaliation for Anson and Kassam refusing to accede to Robert's aggressive demands. “Betting Bruiser” also threatened to release the recordings that

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Robert purportedly made of his private conversations with Kassam. These tweets included the following:

- (a) “One thing that was left out of the \$ZENA [Zenabis] and Anson Funds report was [the] fact that Anson’s funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between \$ZENA & \$TLRY [Tilray] ... conflict of interest much? #Potstocks”;
- (b) “Hi Laura [Salvatori, Anson’s legal counsel] [Hand waving emoji] ... cause I know you follow every tweet I speak about Anson ... I thought I’d give you a shoutout! \$ZENA \$TLRY #PotStocks”;
- (c) “If you r an Anson Funds investor ... be prepared to have your funds locked up b/c there is a lot [of] information floating out there that paints a picture of scams to benefit none other then [sic] Moez Kassam. \$ZENA story is just one of hundreds were its [sic] alleged he broke the law. #PotStocks”;
- (d) “Maybe I should speak to regulators about Anson Funds and collect the reward in 50 years .... Or should I just leak snippets of recorded conversations with Moez Kassam? Thoughts? #PotStocks”; and
- (e) “I think I’m going [to] release some of the recordings about Moez Kassam ... just interested how much money Anson pays Ben Axler from @sprucepointcap ... you care to comment Ben?”

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121. The tweet described immediately above was accompanied by a purported transcript of a recent conversation between Kassam and Robert. In fact, the conversation that was transcribed occurred several years ago and the tweet was misleading. This was another attempt by Robert to deceive his Twitter followers and defame the Plaintiffs.

122. On October 9, 2020 — the Friday before Thanksgiving weekend — “Betting Bruiser” wished death on Kassam:



123. On October 29, 2020, shortly after the Defamatory Manifesto was republished on www.MarketCrimes.to, “John Murphy” tweeted a link to the new website, and included in the tweet the Twitter accounts of BNN Bloomberg and Jeff Kehoe, the Director of Enforcement for the OSC, to bring the Defamatory Manifesto to their attention and attempt to cause the maximum harm to the Plaintiffs.

124. On October 30, 2020, “Betting Bruiser” posted further Unlawful Statements regarding Anson and Kassam:

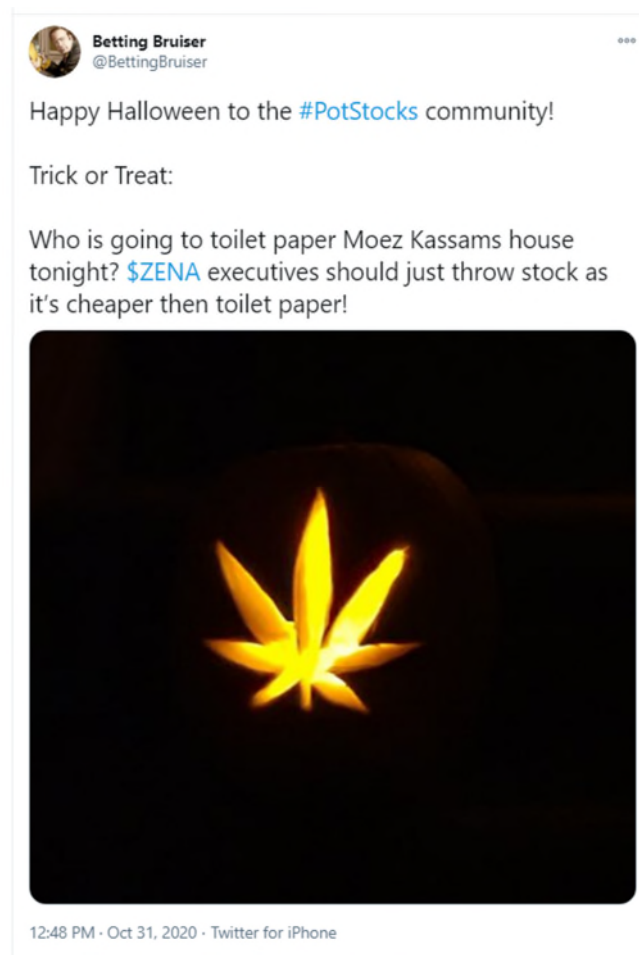
- (a) he posted a recording of part of a recent conversation between Robert and Kassam regarding the Conspiracy, with the following comment: “This is

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Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is the scum of the earth”; and

- (b) “He doesn’t have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying @sprucepointcap @CitronResearch @FriendlyBearSA and others ... why did you block me Ben Adler ... is it the fact your Moez Kassam lapdog?”

125. On October 31, 2020, “Betting Bruiser” posted a tweet encouraging vandalism of Kassam’s house:



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**(ix) The Defamatory Manifesto was disseminated widely online**

126. The Defendants have discussed, shared and published links to the Defamatory Manifesto, and/or hired others to discuss, share and publish links to the Defamatory Manifesto on their behalf, on several other websites and Internet message boards, including but not limited to Reddit, Stockhouse, Yahoo Finance and on social media. The Defendants or their proxies shared the Defamatory Manifesto in these industry forums using anonymous accounts. The Defendants also made further Unlawful Statements against the Plaintiffs while publicizing links to the Defamatory Manifesto on these specialized message boards – all designed to cause the Plaintiffs maximum harm.

127. The messages publicizing the Defamatory Manifesto on blogs or chat forums often used similar or the exact same wording as one another (but were published by different usernames), reflecting the Defendants' sophisticated and coordinated effort to anonymously disseminate the Defamatory Manifesto as widely as possible to maximize the damage caused to the Plaintiffs.

128. For example, the Defendants and/or their proxies shared links to the Defamatory Manifesto on Yahoo Finance with the comments including the following:

- (a) a user named "America" commented, "Will the Canadian regulators do something? I cannot believe someone has been able to get away with this for so long";



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- (b) a user named “Antti” commented, “Canadian hedge fund under fire for illegal practices[.] Looks like Anson have managed to take those sites down – they don’t want the world to know about their crimes”;
- (c) a user named “Alissa” published several messages sharing the Defamatory Manifesto, commenting, “This is everything that’s wrong with the stock market... Looks like a big scandal might be unfolding”, “Have anyone else seen this??? Bomb report on Moez Kassam and Anson Funds. About time ... Clean up what’s truly dirty and rotten to the core” and “Interesting investigative piece looking at a short selling group that have scammed investors out of billions. It’s a must read”; and
- (d) a user named “Daniela” commented, “Seems like a scandal might be starting in the Canadian markets[.] Take a look at this article I found on another community about this hedge fund guy that has been running amok in the Canadian markets – crazy...”.

129. Messages sharing links to the Defamatory Manifesto also appeared on Stockhouse using similar language to the messages described above. Comments on Stockhouse included the following:

- (a) on September 29, 2020, a user named “KhalidZ” shared a link to the Defamatory Manifesto with comments almost identical to those of “Daniela”, described above: “A scandal might be starting to unfold in the Canadian market[.] Take a look at this article I found on another community about this

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hedge fund guy that has been running amok in the Canadian markets – crazy...”; and

- (b) on October 1, 2020, a user named “HannaJensen” shared a link to the Defamatory Manifesto with comments identical to those published by “Alissa”, described above: “Interesting investigative piece looking at short selling group that have scammed investors out of billions”.

#### **E. THE DEFENDANTS ARE LIABLE**

130. The Defendants are liable to the Plaintiffs for conspiracy, publicity that inaccurately places the plaintiff in a false light, intentional interference with economic relations, misappropriation of personality, and defamation.

##### ***(i) The Defendants’ Tortious Conspiracy Against Anson***

131. Robert, Jacob and the Unknown Defendants conspired with one another to make and publicize the Unlawful Statements against the Plaintiffs. They formed an agreement with one another to injure the Plaintiffs, and in making the Unlawful Statements, their predominant purpose was to injure the Plaintiffs – namely, by damaging their business and reputation.

132. The Defendants knew, or should have known, that the Unlawful Statements about the Plaintiffs and the publicity attached to them would be extremely harmful to the Plaintiffs, damaging their reputation and business.

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133. The Defendants acted in furtherance of the Conspiracy by making, assisting with, participating in, and/or publicizing the Unlawful Statements, causing damage to the Plaintiffs.

**(ii) False light**

134. In addition, the Defendants are liable for placing Anson and Kassam in a false light.

135. By making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants gave publicity to very serious allegations against Anson and Kassam that placed them in a false light. The Defendants have publicly, falsely accused Anson and Kassam of serious crimes – including fraud, insider trading and other significant breaches of applicable securities laws and regulations, as well as cyber crimes. These allegations would be highly offensive to a reasonable person.

136. In making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants knew or recklessly disregarded the falsity of the Unlawful Statements against Anson and Kassam and the false light in which they would thereby be placed.

**(iii) Intentional interference with economic relations**

137. By making, assisting with, contributing to and/or publicizing the Unlawful Statements through the Unlawful Stockhouse Statements, the Defamatory Manifesto, Robert Lee and Jacob's Twitter accounts, and other websites the Defendants are liable for intentional interference with Anson's economic relations.

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138. The Defendants, with the intention of harming Anson's business and damaging its reputation, made a series of false, malicious, defamatory and unlawful public statements about Anson's principal, Kassam, as well as other Anson personnel, including Puri and Anson's General Counsel, Laura Salvatori. The Unlawful Statements accused Kassam, and by extension Anson, of unlawful, dishonest and criminal conduct. The Defendants intentionally harmed Anson through making Unlawful Statements about Kassam.

***(iv) Appropriation of personality***

139. The Defendants are liable for wrongfully appropriating Kassam's personality by purchasing the domain name "www.MoezKassam.com" and using it to publicize the Unlawful Statements regarding Anson and Kassam. The Defendants also acquired the email address "info@moezkassam.com" in furtherance of the Conspiracy.

140. By using the domain name in this manner, they violated Kassam's exclusive right to use his own identity, particularly his name, causing damage.

***(v) Defamation***

141. Finally, the Defendants are liable for defamation for the false and highly defamatory statements made in the Unlawful Stockhouse Statements, the Unsolicited Emails, and, ultimately, the Defamatory Manifesto (which was published multiple times, using various domain names). The Doxtators are further liable for the false and defamatory statements they published about the Plaintiffs on Twitter.

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### **The Unlawful Stockhouse Statements are Defamatory**

142. The Unlawful Stockhouse Statements (discussed above at paragraphs 40 to 68) in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unlawful Stockhouse Statements, and without limiting the generality of the foregoing, the Unlawful Stockhouse Statements would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are corrupt, dishonest, deceptive, duplicitous and cannot be trusted;
- (b) they destroy and/or devalue companies and their shareholders through nefarious means in order to benefit financially;
- (c) they get in over their heads and are unable to control their investments/trading strategies, and/or are inept, incompetent and reckless in their investment/trading practices;
- (d) they engage in unlawful and illegal activities, including market manipulation, abusive trading practices, and securities law and/or criminal law violations;
- (e) they published or participated in the creation of false research reports for the purpose of manipulating the market; and
- (f) they ought to be investigated, including by regulators.

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143. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the July 23 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are criminals;
- (b) they bribe and/or induce regulators through other means to ignore their unlawful and/or illegal activities;
- (c) they do not exercise proper judgment and they make poor business decisions;
- (d) they cannot be trusted with investors' funds;
- (e) they have not legitimately earned their success and goodwill;
- (f) the Anson Funds lost millions of dollars due to their reckless conduct; and
- (g) they were humiliated and desperate as a result of the losses they incurred.

144. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 14 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they caused Anson Funds to lose hundreds of millions of dollars due to their reckless conduct or ineptitude;

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- (b) they were humiliated and desperate as a result of their business losses;
- (c) they ought to be avoided, as associating with them will result in harm;
- (d) they encourage or induce others to become corrupt;
- (e) they caused or contributed to the publication of misleading, false, and/or fraudulent information regarding a legitimate company;
- (f) they will be investigated and punished by regulators; and
- (g) with respect to Kassam, in particular, that he is unscrupulous, immoral and unethical.

145. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 17 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they have significantly harmed the capital markets through their unethical, unlawful, duplicitous and/or illegal conduct;
- (b) they engaged in malicious, unlawful, and targeted attacks and/or trading and other conduct to harm Aphria and its shareholders in order to increase their own wealth;
- (c) they engage in predatory, opportunistic, dishonest and unethical conduct for financial gain;

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- (d) they corrupt and/or induce others to engage in or assist in improper conduct;
- (e) they unlawfully and/or improperly obtained and misused confidential/insider/material non-public information;
- (f) they provided false, fraudulent, or misleading information about Aphria for publication and dissemination to harm Aphria, and for their own gain;
- (g) they profit off the hardship and damage they cause to others;
- (h) they will be investigated and punished; and
- (i) with respect to Kassam in particular, that:
  - i. he is two-faced, a fake and a fraud; and
  - ii. he is amoral, lacks a conscience, and engages in reprehensible and antisocial conduct.

146. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 28 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they used illegal, unethical, and/or nefarious means to destroy and/or devalue the Canadian company, Zenabis, for financial gain;



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- (b) they covertly or otherwise inserted a “stooge” to influence Zenabis’ decisions and/or cause the company to act against its own interests for Anson’s gain;
- (c) they exploit, induce and/or corrupt others to engage in dishonest, illegal, unlawful, and/or unethical activities on their behalf;
- (d) they coerce, deceive, or trick companies into acting against those companies own interests and/or into making poor decisions for the Plaintiffs’ financial gain;
- (e) they knowingly, intentionally or recklessly encourage and/or engage in conflicts of interests for ulterior purposes;
- (f) the Anson Funds lost millions of dollars due to the reckless conduct of its principals;
- (g) they engaged in illegal and unlawful activity including securities law violations, such as insider trading and failing to disclose information as required by law; and
- (h) they will target, attack, harm and/or destroy more companies.

### **The Defamatory Manifesto**

147. The Defamatory Manifesto (discussed above at paragraphs 69 to 96) in its entirety, in its natural and ordinary meaning, including its express and implied meaning in its full context, and/or by innuendo, including in conjunction with the images contained in the

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Defamatory Manifesto, is false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the statements contained in the Defamatory Manifesto, and without limiting the generality of the foregoing, the Defamatory Manifesto would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam, repeatedly, intentionally and maliciously engaged in unlawful and illegal business practices to destroy, and did destroy or cause harm to, legitimate companies and businesses, including Aphria, Zenabis and Genius, to increase their financial wealth. In addition, and more particularly, the Defamatory Manifesto means or would be understood to mean that Anson and its principals:

- (a) are deceptive, dishonest, deceitful, sneaky, duplicitous, immoral, unscrupulous and cannot be trusted;
- (b) lack integrity, are unethical, predatory, and corrupt;
- (c) are liars, cheats, thieves and crooks;
- (d) have not legitimately earned their success and goodwill;
- (e) are incompetent and/or inept in business;
- (f) they attempted to harm and/or destroy legitimate companies, including Tilray and Facedrive, but failed due to their incompetence and/or ineptitude;
- (g) are desperate, and engage in rash, reckless and/or extreme behaviour;
- (h) engage in predatory, surreptitious and unethical business practices;

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- (i) engaged in, and continue to engage in, unlawful and/or illegal activities, including securities law and/or criminal law violations, and including fraud, illegal short-selling schemes, market manipulation, abusive trading practices and insider trading;
- (j) involved other entities in their unlawful, illegal, and/or fraudulent activities;
- (k) engaged in conspiracies with other entities, including by paying for short reports and long/buy reports, in order to benefit financially;
- (l) committed, and continue to commit, crimes and/or are criminals;
- (m) are part of a criminal enterprise and/or criminal alliance;
- (n) operate their business in a manner that is contrary to applicable law and regulations;
- (o) breached, and continue to breach, securities laws and regulatory rules and policies;
- (p) unlawfully and/or illegally obtained and misused confidential/insider/material non-public information;
- (q) exploit information or resources that they have been trusted to protect;
- (r) published or participated in the creation of false research reports for the purpose of manipulating the market;

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- (s) use unlawful and/or illegal means to silence critics because they have something nefarious to hide;
- (t) robbed and/or defrauded North American shareholders of millions of dollars;
- (u) harmed investors in Canada and the United States;
- (v) targeted and destroyed legitimate companies through nefarious means to increase their wealth;
- (w) made false reports to regulators and engaged in fraudulent social media campaigns to manipulate the capital markets;
- (x) inflict serious harm on the Canadian capital markets and on investors;
- (y) are involved in fraudulent activity of the kind that ought to concern authorities and regulators;
- (z) ought to be investigated, including by regulators in Canada and the United States;
- (aa) are being, have been, and/or will be investigated by regulators;
- (bb) ought to be and/or will be penalized and/or imprisoned;
- (cc) have caused, are causing, and will cause financial ruin to their partners, investors, and other capital market participants; and

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(dd) with respect to Kassam, in particular:

- i. that he is a sociopath, engages in reprehensible and repulsive conduct, is amoral, lacks a conscience, and engages in antisocial behaviour; and
- ii. does not exercise judgment and cannot be trusted with investors' funds.

### **Robert Lee Doxtator's Defamatory Tweets**

148. In addition to the foregoing and as set out below, the Defendant Robert is liable to the Plaintiffs for defamation in relation to a number of tweets he published under the username "Betting Bruiser". The defamatory tweets of which the Plaintiffs are currently aware are included as Appendix "A". They include, but are not limited to, the following:

- (a) as discussed above at paragraph 38(a) an August 25, 2019 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs put out a false report "to manipulate the market so they could cover an already short position";
- (b) as discussed above at paragraph 38(b) another August 25, 2019 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs had "connections to other short sellers and market manipulators" and "historically invested [in] and the death spiral the fund created to cash out their short positions";
- (c) as discussed above at paragraph 38(c), on August 26, 2019, "Betting Bruiser" published several tweets falsely alleging that the Plaintiffs used a representative on Zenabis' Board of Directors, Adam Spears, to negatively

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influence the company's business decisions, reduce its share price and provide them with inside information/material non-public information;

- (d) as discussed above at paragraph 38(d), a subsequent tweet on August 26, 2019 alleged that Spears was "recording conversations of [Zenabis] management and executives in hopes of Anson blackmailing or using the info for the detriment of the company";
- (e) as discussed above at paragraph 111, a September 29, 2020 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs use "tactics" that "are simply sleight of hand with the gift of gab";
- (f) as discussed above at paragraph 114, in a subsequent tweet on September 30, Robert alleged that the Plaintiffs "use people and don't pay anyone but themselves";
- (g) as discussed above at paragraph 120, on October 9 Robert published a series of tweets, falsely alleging a "toxic financing deal" involving Anson's legal counsel, that Anson Funds investors ought to "be prepared to have [their] funds locked up" given the information indicating "scams to benefit...Kassam" and allegations "he broke the law", threatening to "speak to regulators about Anson Funds" to collect a reward, and falsely alleging that the Plaintiffs pay Ben Axler;
- (h) as discussed above at paragraph 124, on October 30, Robert published tweets alleging that Kassam is "running scared from recent reports about

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his tactics” and “the scum of the earth”, and that he has others do “his dirty work for him”.

149. These tweets, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the plain and ordinary meaning of each of the tweets, they would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) are liars, are dishonest, duplicitous, immoral, deceptive, unscrupulous, unethical, sneaky, and cannot be trusted;
- (b) engage in unlawful and illegal conduct, including securities law and/or criminal law violations, and including insider trading, market manipulation, abusive trading practices and fraud; and
- (c) destroy legitimate businesses through nefarious means for their financial gain.

150. Additionally, the October 9 series of Tweets, in addition to their plain and ordinary meaning, would lead readers to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) ought to be and will be investigated, including by regulators; and
- (b) will cause harm to their investors.

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### **Jacob Doxtator's Defamatory Tweets**

151. In addition to the foregoing and as set out below, the Defendant Jacob is liable to the Plaintiffs for defamation in relation to a number of tweets he published using the alter-ego named "John Murphy" with the username @JohnMur67039142, which are, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. The defamatory tweets of which the Plaintiffs are currently aware are included as Appendix "B", and include, but are not limited to, the following:

- (a) as discussed above at paragraph 55, an August 14, 2020 retweet falsely claimed that Anson was behind the Hindenburg Research report regarding Aphria, included a picture of Kassam, and stated "how dirty moez hurt his business partner [sic] and lied to the founders of \$apha [Aphria]. On the same day Jacob also tweeted that Kassam had "paid for negative promotions" regarding Facedrive, Aphria, Tilray "and many more". In addition to the plain and ordinary meaning of these tweets, the tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
  - i. are corrupt, dishonest, deceitful, deceptive, duplicitous, and cannot be trusted;
  - ii. engaged in malicious, unlawful, and targeted attacks to harm legitimate companies and their shareholders; and



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- iii. provided false, fraudulent, or misleading information about legitimate companies (including Aphria, Facedrive and Tilray) for publication and dissemination to harm them;
- (b) as discussed above at paragraph 71, a September 10, 2020 tweet stated that regulators should scrutinize Anson and Kassam: “these reverse pump and dumps must be watched more closely by the regulators. moez [sic] and his band fund these trades every week...” In addition to the plain and ordinary meaning of the tweet, the tweet would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
  - i. engage in unlawful and illegal activities, including securities law violations; and
  - ii. ought to be investigated, including by regulators;
- (c) as discussed above at paragraphs 72 and 113, a September 12, 2020 tweet alleged “anson [sic] is a very corrupt cad fund fake [sic] shorting many small cap co’s and when they get in trouble / want to cover they pay groups like @HindenburgRes to say the co is a fraud and going to zero. how many zeros have they called. the bottom is normally around when the piece comes out”. On September 29, he added, “big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]”. In addition to the plain and ordinary

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meaning of these tweets, the tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:

- i. are corrupt, reckless and dishonest; and
  - ii. provide false, fraudulent, or misleading information about legitimate companies to harm those companies and benefit themselves; and
- (d) as discussed above at paragraphs 112 and 116, two September 29, 2020 tweets included a link to the Defamatory Manifesto, and stated: “stockmanipulators.com. Cyber crimes added to the list of wrongdoings by @AnsonGroupFunds ? who funded this defense? Unit holders?”, and “sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$shrm many more”.” In addition to the plain and ordinary meaning of these tweets, these tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
- i. engage in illegal and unlawful activities, including criminal law violations and are criminals;
  - ii. are dishonest and deceptive; and
  - iii. misuse investor funds, including for their personal benefit.

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152. Jacob is also liable for using the “John Murphy” Twitter account to re-tweet other Twitter users’ false and defamatory statements about the Plaintiffs.

### **The Unsolicited Emails are Defamatory**

153. As discussed above at paragraphs 106 to 109, the Defendants anonymously sent Unsolicited Emails regarding the Plaintiffs. The Unsolicited Emails, in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unsolicited Emails, and without limiting the generality of the foregoing, the Unsolicited Emails would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals, including Kassam:

- (a) they engage in wrongdoing, unlawful, illegal, and unethical conduct, including securities law and/or criminal law violations, insider trading, market manipulation, abusive trading practices, fraud and cybercrimes;
- (b) they destroy legitimate businesses through nefarious means;
- (c) they have robbed shareholders of billions of dollars;
- (d) they are dishonest and cannot be trusted; and
- (e) they are criminals.

154. The Plaintiffs have not seen all of the Unsolicited Emails or any of the emails in their entirety and reserve their right to amend this pleading to add additional meanings and/or claims once they are discovered.

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### **The Defendants were Malicious**

155. The Defendants acted with malice: they made, assisted with, participated in and/or publicized the Unlawful Statements, knowing that the Unlawful Statements were false or misleading and/or while intentionally, recklessly or callously disregarding their falsity and the harm that the allegations would do to the Plaintiffs. They acted for the predominant purposes of harming the Plaintiffs, including in pursuit of their animus and vendetta against the Plaintiffs. Examples of the Defendants' malicious conduct include the Defamatory Manifesto soliciting readers to confidentially provide additional material for future Defamatory Manifestos, and the Defendants' continuous efforts to draw the Unlawful Statements to the attention of regulators and the media.

156. The Defendants repeatedly published the Unlawful Statements on various websites and through various means, including through the Unlawful Stockhouse Statements, the Unsolicited Emails, the Defamatory Manifesto, and the tweets described above, in an attempt to publish them to the widest audience possible and cause the greatest commercial and emotional harm to the Plaintiffs as possible.

157. The Defendants are also liable for republication of the Unlawful Statements, which was a natural and probable result of the Unlawful Statements. In fact, the Defendants actively encouraged re-publication of the Defamatory Manifesto, both in the text of the Defamatory Manifesto itself, and in Robert's and Jacob's tweets sharing the Defamatory Manifesto. Republications of the Defamatory Manifesto currently remain online.

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## **F. DAMAGES**

158. The Defendants' conduct has caused substantial damage to the Plaintiffs' business and reputations. The Unlawful Statements have been widely distributed and publicized and have been viewed by thousands of people to date. A version of the Defamatory Manifesto remains widely available on the Internet. The Unlawful Statements have significantly interfered with and disrupted the Plaintiffs' business and affairs and their relationship with clients, counterparties, and potential investors, leading to a loss of business opportunities.

159. Moreover, the Plaintiffs have incurred significant costs and spent a significant amount of time investigating who is behind the Conspiracy and in seeking to have the Unlawful Statements removed from various websites.

160. As mentioned above, Anson has also received threatening telephone calls to its offices because of the Unlawful Statements.

161. Particulars regarding damages will be provided in advance of trial.

162. The Plaintiffs also seek an interim, interlocutory and permanent injunction restraining the Defendants from publishing further unlawful and defamatory statements about the Plaintiffs. As noted above, despite Anson's diligent attempts to have the Defamatory Manifesto removed from the Internet, the Defendants persist in acquiring new websites to publish and disseminate the Defamatory Manifesto, and in repeating the Unlawful Statements and publicizing the Defamatory Manifesto through social media, including Twitter. In addition, the Defendants continue to threaten the release of two

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additional “Parts”. This has caused, is causing, and will continue to cause irreparable harm to the Plaintiffs’ business and their reputations. This nonstop game of “whack-a-mole” cries out for a remedy.

163. Finally, the Defendants are liable for aggravated and punitive or exemplary damages. The Defendants maliciously and intentionally caused harm to the Plaintiffs through the repeated and coordinated publication, and broad online dissemination, of the Unlawful Statements. Further, Robert attempted to obtain significant payments and other benefits to purportedly assist Anson, which Anson refused. The Defendants knew, and in fact intended, that serious harm would result from their unlawful conduct.

164. The Defendants executed a coordinated, malicious campaign to spread lies about the Plaintiffs and damage their business, including attempting to reach the attention of securities regulators such as the OSC, the SEC, and IIROC. The Plaintiffs believe that the Defendants intended to cause them to become the subject of regulatory inquiries or investigations on the basis of these false and misleading allegations. Such inquiries or investigations would result in serious and irreparable reputational harm, and in addition would force the Plaintiffs to divert significant time, financial and other resources, and management attention, towards addressing any such inquiries or investigations. The Defendants also took steps to attract media attention to the Unlawful Statements in an attempt to further publicize them. The Defendants acted in a high-handed, malicious, arbitrary and/or highly reprehensible manner, as set above, which constitutes a marked departure from ordinary standards of decent behaviour. The Defendants’ conduct requires the sanction of the Court.

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165. The Plaintiffs propose that this action be tried at Toronto.

166. The Plaintiffs rely on the *Libel and Slander Act*, R.S.O. 1990, c. L.12 and the *Courts of Justice Act*, R.S.O. 1990, c. C.43, s. 101.

December 17, 2020

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
### APPENDIX "A" – "Betting Bruiser" Tweets

**Betting Bruiser**  
@BettingBruiser

Month ago the market listened to the 'Friendly Bear' put out a bullshit short report on [\\$HEXO](#).

The Bear is controlled and ran by Moez Kassam & Sunny Puri of Anson.

They put out the report to manipulate the market so they could cover an already short position. [#Potstocks](#)

**Moez**


It's not a fund 11:05 AM

It's me 11:05 AM

Just the guy we use to write 11:05 AM

If the bar is high enough 11:0

He doesn't want to get sued 11:06 AM



**HEXO**






**Is Hexo The Next CannTrust? Snapchat Advertising May Run Afoul of Health Canada**


**Hexo, pot investors shrug off Friendly Bear short-seller report**

Kristine O'ram, Bloomberg News


10:54 AM · Aug 25, 2019 · Twitter for iPhone

9 Retweets 2 Quote Tweets 49 Likes



**Betting Bruiser** @BettingBruiser · Aug 25, 2019  
Replying to @BettingBruiser

I'm going spend the next week exposing the Anson fund connections to other short sellers and market manipulators. Which [#Potstocks](#) has the fund has historically invested and the death spiral the fund created to cash out their short positions.

**@LamboJohnny**

Just bumped into Moez head of  
Anson Fund. He owns over 15% of





**Betting Bruiser** @BettingBruiser · Aug 25, 2019

They recorded conversations without [\\$HEXO](#) executives knowledge in hopes of using it for their own financial gain - under guise they would provide Private Placement funding for [#Potstocks](#) companies in "need"... vulture type tactics.



2



2



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**Betting Bruiser** @BettingBruiser · Aug 25, 2019

For those investors that don't understand what Anson Funds does to stocks they 'invest in' ... here is great story about them & their tactics. [#Potstocks](#)



Acasta Enterprises to 'unwind' controversial debt-to-equity deal

[financialpost.com](#)



1



3



23

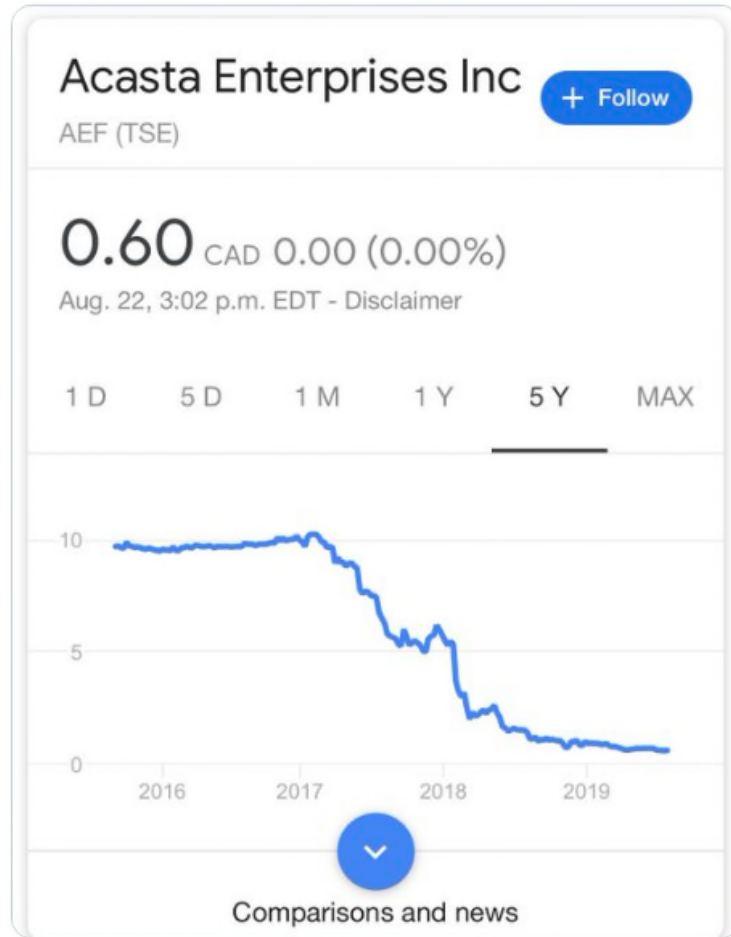




**Betting Bruiser**  
@BettingBruiser

Replying to @BettingBruiser

It's always a similar result ... yet Anson Funds still makes money hand over fist... #Potstocks



4:00 PM · Aug 25, 2019 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @LamboJohnny and @LaurenceJeuness

Right about what? That's Anson doesn't appear on Sedi as insider. No they don't and that's part of the problem. In cases were they have former managers as "independent" directors how are they not insiders?

4:52 PM · Aug 25, 2019 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Aug 25, 2019



Hey @LamboJohnny if this is true ... why don't we see Anson Funds name come up as being escrowed on Sedi for owning more than 10%? I don't see Moez name either ... Anson not on any SEDI filing since 2016 for \$SOL #Potstocks [twitter.com/LamboJohnny/st...](https://twitter.com/LamboJohnny/status/1166666666)

This Tweet is unavailable.



**Betting Bruiser** @BettingBruiser · Aug 25, 2019



Oh they have converts .. that they use to cover their short positions without suspecting retail investors ... creating any visible cover or tripping any insider trading reports... why not listed on Sedi? Cause they using the same convert scheme they use with everyone else!





**Betting Bruiser**  
@BettingBruiser

A lot DM's about \$ZENA & Anson Funds.

Anson Funds holds a boatload of converts in \$ZENA that they are using to cover their short position.

They've had a direct hand creating chaos within management decisions. Including the listing price. How so? Anson representative! #Potstocks




**Adam Spears**  
**Independent Director**

- Founder of ace148, an investment company
- Was a Principal and Portfolio Manager at Anson Funds where he managed multiple long-short equity hedge funds
- Also worked in private equity at ONCAP Management Partners, and in the investment banking group of Citigroup Global Markets


9:09 AM · Aug 26, 2019 · Twitter for iPhone

4 Retweets 4 Quote Tweets 35 Likes


🗨️ ↻️ ❤️ 📧 ⬆️

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
Replying to @BettingBruiser  
The entire problems relating to the former CEO leaving, taking the \$TLRY deal and now death spiral financing. Was in relation to \$ZENA attempting to limit Anson's ability to cover and manipulate the share price down further. The current \$ZENA CEO is out of league. #Potstocks


🗨️ 3 ↻️ 1 ❤️ 15 📧 ⬆️

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
\$TLRY themselves wanted to offer a helping hand. As that company is the only successful #Potstocks to date to squeeze Anson Funds for a loss to my knowledge. Despite Anson Funds getting @CitronResearch to pump out as many \$TLRY short pieces it possibly could. #Potstocks


🗨️ 2 ↻️ 2 ❤️ 20 📧 ⬆️

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
I'd love to talk to the @CEO\_Zenabis to try to help... but it may be a case of to little to late ... CEO wants to convert all debts to a bank loan... that's a start but expect Anson Funds to fight tooth and nail against that. Their independent director acts for Anson. #Potstocks


🗨️ 3 ↻️ 1 ❤️ 18 📧 ⬆️

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
As in the case with \$HEXO ... I wouldn't doubt that Adam is recording conversations of \$ZENA management and executives in hopes of Anson blackmailing or using the info for the detriment of the company. Adam needs to be removed. #Potstocks

🗨️ ↻️ ❤️ 14 📧 ⬆️

 **Chris Rutherford** @RutherfordCG · Aug 26, 2019  
Replying to @BettingBruiser  
How is it legal for Adam to be on the board and do what this guy is doing? It's not in the best interests of @Zenabis obviously. @CEO\_Zenabis

🗨️ 1 ↻️ ❤️ 📧 ⬆️

 **Betting Bruiser** @BettingBruiser · Aug 26, 2019  
No it's not ... like \$AEF Anson will argue that they acting in best interest of the shareholder ... all a guise ...



**Betting Bruiser**  
@BettingBruiser

...

Journalist Virtue Signalling about #PotStocks .... while journalist are the worse Bay Street litter bugs... all they do is put trash on the street they receive directly from Anson, MMCap, K2 & Scamaccord.



All dried up: How Bay Street cashed in on the cannabis frenzy before the carnage  
The smart money got out before the cannabis bubble burst. Now, retail investors are suffering and pot companies face a financing drought  
[theglobeandmail.com](https://theglobeandmail.com)

11:35 AM · Nov 2, 2019 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @WolfOfWeedST @ChrisParry and @issatraprunhide

Before Chris' article ... before your tweet ... at a cannabis conference when the \$MMEN executives revealed their evaluation I called it "the most overvalued cannabis stock to come to market to date"... they were being advised by Anson Funds long ago ...

2:59 PM · Nov 28, 2019 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Dec 19, 2019

▼

Replying to @BCobblaw

30%+ seems like they got that position from shorting it down & not from buying it ... rather not have Anson as shareholder? ... we all know Moez was renting Andy's house over the summer months ... they are besties!



1



1



3









**Betting Bruiser**  
@BettingBruiser



The biggest chicken hawk that I've ever met in my life.  
Every time I see him we have words.

Sunny Puri from Anson Funds.

If you've ever crossed paths with him then your stock is  
likely -95% from its high and he holds your faint in his  
hands via convertible debt. [#PotStocks](#)



11:11 AM · Mar 11, 2020 · Twitter for iPhone

4 Retweets 39 Likes





**Betting Bruiser**  
@BettingBruiser

...

Watch "Moez Kassam" from Anson Funds on [#Vimeo](#) give short sellers a bad name. Cringe worthy. I think that's filmed at [@DeFrancesco\\_A](#) house in the Muskoka? [vimeo.com/140274640](https://vimeo.com/140274640) [#PotStocks](#)



Moez Kassam

This is "Moez Kassam" by Charles Chan on Vimeo, the home for high quality videos and the people who love them.  
[vimeo.com](https://vimeo.com)

1:54 PM · Jul 2, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to [@BettingBruiser](#)

Director: Rick Brar former CEO & Co-Founder of [@Zenabis \\$ZENA](#)

Secretly gave Anson Funds a share loan agreemnt so they could short [\\$ZENA](#) to the dismay of retail investors. Upon finalizing that he aggressively dumped all his shares. [\\$ZENA](#) -98%. \$2.25 to \$0.08 [#PotStocks](#)  
2/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @BettingBruiser

Director, President and Co-Chief Executive Officer, Chief Financial Officer: Eli Dusenbury

A rent a CFO whoms main gig was a CFO of #PotStocks Company \$ISOL @isodiol. Ankther company directly involving Anson Funds. Another company which has seen a 98% fall in share price. 8/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

▼

I have been a early voice of concern re: Moez Kassam, Sunni Puri & Anson Funds. Their tactics are simply sleight of hand with the gift of gab. I know their strategies very well this article shed some light on them. #PotStocks



Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure  
[moezkassam.com](https://moezkassam.com)

9:43 AM · Sep 29, 2020 · Twitter for iPhone

8 Retweets 2 Quote Tweets 63 Likes



**Betting Bruiser**  
@BettingBruiser



Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don't pay anyone but themselves. [\\$ZENA](#) [\\$APHA](#) [#PotStocks](#)

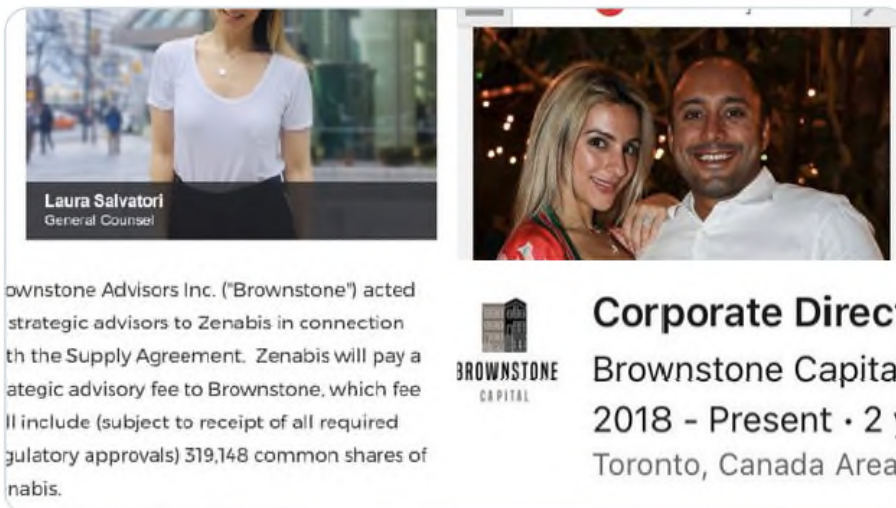
11:08 AM · Sep 30, 2020 · Twitter for iPhone

2 Retweets 28 Likes



**Betting Bruiser**  
@BettingBruiser

One thing that was left out of the [\\$ZENA](#) and Anson Funds report was fact that Anson's funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between [\\$ZENA](#) & [\\$TLRY](#) ... conflict of interest much? [#Potstocks](#)



1:50 PM · Oct 9, 2020 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Oct 9

Replying to @BettingBruiser

Hi Laura 🙋 ... cause I know you follow every tweet I speak about Anson ... I thought I'd give you a shoutout! [\\$ZENA](#) [\\$TLRY](#) [#PotStocks](#)



**Betting Bruiser** @BettingBruiser · Oct 9

If you r an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot information floating out there that paints a picture of scams to benefit none other then Moez Kassam. [\\$ZENA](#) story is just one of hundreds were its alleged he broke the law. [#PotStocks](#)





**Betting Bruiser**  
@BettingBruiser



Maybe I should speak to regulators about Anson Funds  
and collect the reward in 50 years ....

Or should I just leak snippets of recorded conversations  
with Moez Kassam?

Thoughts? [#PotStocks](#)



2:17 PM · Oct 9, 2020 · Twitter for iPhone

6 Retweets 1 Quote Tweet 83 Likes





**Betting Bruiser**  
@BettingBruiser



I think I'm going release some of the recordings about Moez Kassam ... just interested how much money Anson pays Ben Axler from @sprucepointcap ... you care to comment Ben?

"You know what's gonna happen"

14:47

"A lot of times if I'm working with Ben (Axler) or doing this kind of stuff (shorts) than we can create our own catalysts right because we're putting out a report"

"So I know when stuffs gonna go down and I'll buy puts"

3:19 PM · Oct 9, 2020 · Twitter for iPhone

3 Retweets 2 Quote Tweets 64 Likes



**Betting Bruiser**  
@BettingBruiser



Everyone have a good long weekend expect for Anson Funds Moez Kassam .... he can choke on a wishbone!  
[#PotStocks](#)

4:55 PM · Oct 9, 2020 · Twitter for iPhone

4 Retweets 1 Quote Tweet 105 Likes



**Betting Bruiser**  
@BettingBruiser

...

Has Anson Funds and/or MMCAP name all over it  
\$VIVO #PotStocks



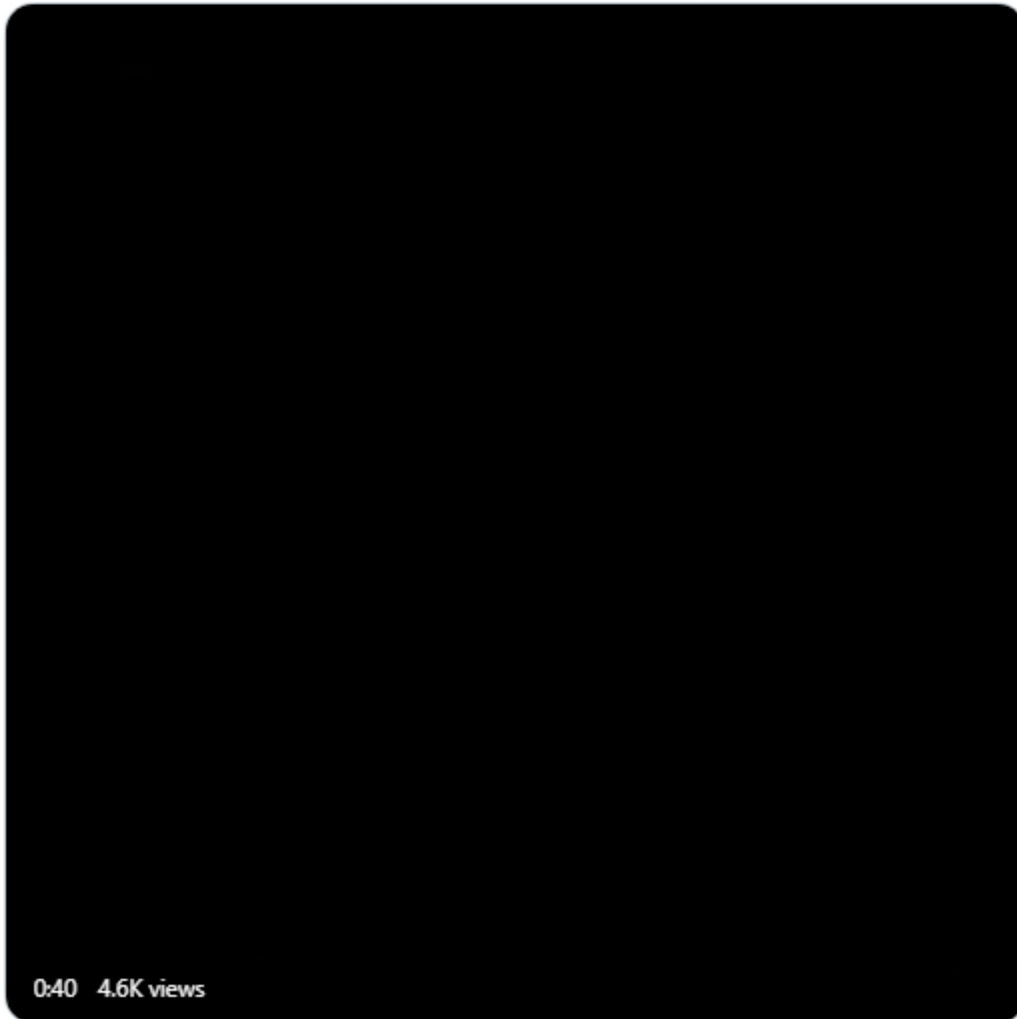
8:33 AM · Oct 16, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser



This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is scum of the earth.



10:50 AM · Oct 30, 2020 · Twitter for iPhone





**Betting Bruiser**  
@BettingBruiser

Replying to @BettingBruiser

He doesn't have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying @sprucepointcap @CitronResearch @FriendlyBearSA and others ... why did you block me Ben Axler ... is it the fact your Moez Kassam lapdog?



10:55 AM · Oct 30, 2020 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser



Happy Halloween to the #PotStocks community!

Trick or Treat:

Who is going to toilet paper Moez Kassams house tonight? \$ZENA executives should just throw stock as it's cheaper then toilet paper!



12:48 PM · Oct 31, 2020 · Twitter for iPhone

**APPENDIX “B” – “John Murphy” Tweets**





**John Murphy**  
@JohnMur67039142

it seems moez and sunny from @AnsonGroupFunds @MunchingMoez @HindenburgRes @globeandmail @davidmilstead quickly blocked me by suggesting they were short 1mm \$FD. i think much more will come out on this trade. @business @BNNBloomberg



**John Murphy** @JohnMur67039142 · Jul 28

Looks like @facedrivecanada \$FD is going higher @HindenburgRes @AnsonGroupFunds finance.yahoo.com/news/400-tesla...

7:41 PM · Jul 30, 2020 · Twitter for iPhone



**John Murphy** @JohnMur67039142 · Aug 14

@HindenburgRes @BNNBloomberg @AnsonGroupFunds this story will be all over the street within months. how dirty moez hurt his business parnter and lied to the founders of \$apha. @LamboJohnny @BettingBruiser



**MDeCicco** @MDeCicco\_ · Aug 14


Hey @MunchingMoez. Can you confirm/deny? The word around is that you were the source of the @HindenburgRes Short Attack on @aphriainc, to cover HUGE losses on \$TLRY

[Show this thread](#)








 **John Murphy** @JohnMur67039142 · Sep 10  
Replying to @QTRResearch  
these reverse pump and dumps must be watched more closely by the regulators. **moez** and his band fund these trades every week @ClarityToast finds the next fraud that he is paid to profile. @BettingBruiser @ddale8 @JeffKehoeOSC \$apha \$fd \$gfi \$nkla

 **John Murphy** @JohnMur67039142 · Sep 11  
another page out of the **Anson** dirty playbook \$fd \$dis \$gnus \$apha @BettingBruiser @weedstreet420 @smallcapsteve @davidmilstead @IIROInfo @FinancialTimes @business



Moez Kassam, Anson Funds Destroyed Genius Brand...  
Moez Kassam, Anson Funds Destroyed Genius Brands Investors  
stockhouse.com

 **John Murphy** @JohnMur67039142 · Sep 12  
**anson** is a very corrupt cad fund nake shorting many small cap co's and when they get in trouble / want to cover they pay groups like @HindenburgRes to say the co is a fraud and going to zero. how many zeros have they called, the bottom is normally around when the piece comes out

 **John Murphy** @JohnMur67039142 · Sep 26  
He uses people for information; andy was just another person in the way. but clearly, something larger was the issue. his report did real damage to andy and his businesses. **Moez** seems to be picking fights with the wrong people these days



**John Murphy**  
@JohnMur67039142

Capital Market Crimes – Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure.  
[@LamboJohnny](#) [@BettingBruiser](#) [@globeandmail](#)  
[@weedstreet420](#) [@BNNBloomberg](#) [@amberkanwar](#)



Home

[vc\_row][vc\_column][vc\_empty\_space height="20px"]  
[/vc\_column][vc\_column offset="vc\_hidden-xs"]...  
[moezkassam.com](#)

3:47 PM · Sep 27, 2020 · Twitter for iPhone

4 Retweets 15 Likes

jim Retweeted



**John Murphy** @JohnMur67039142 · 27 Sep

8 Capital's [#tradertonny](#). plays right into the stereotype of a [#WallStreet](#) trader. i think his compliance might have some questions about the recommendations that he has been putting out.... [#viiicapital](#)  
[@MunchingMoez](#) [stockmanipulators.com/moez-kassam-an...](#)



**John Murphy** @JohnMur67039142 · Sep 29

sounds like [#moez](#) attacked the site where the [@AnsonGroupFunds](#) report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for [@MunchingMoez](#) [@davidmilstead](#) [\\$apha](#) [\\$fd](#) [\\$gfl](#) [\\$shrm](#) many more





John Murphy @JohnMur67039142 · 15m

spicy. stinks something awful !!! #handsomefunds #dirtymoez  
#moezkassam @AnsonGroupFunds @LamboJohnny @QTRResearch  
@weedstreet420 @ddale8



John Murphy @JohnMur67039142 · Sep 27

I wonder if this slows down his extravagant dinners that he posts every night,  
sean kallir from HGC seems to be in attendance often, **moez's** new member,  
special shout out to #traderTony from 8capital. love the pics



John Murphy @JohnMur67039142 · Sep 29

big difference from shorting a fraud and paying for a short report calling a  
company a fraud to try and fix your trade. bad companies need to be taken  
down. big difference between the two. **anson** does both!



John Murphy  
@JohnMur67039142

Home [stockmanipulators.com](https://stockmanipulators.com). Cyber crimes added to  
the list of wrongdoings by @AnsonGroupFunds ? who  
funded this defense? unit holders? @davidmilstead  
@globeandmail @thomasg\_grizzle

7:52 AM · Sep 29, 2020 · Twitter for iPhone



John Murphy @JohnMur67039142 · Sep 30

chatter is \$300k-400 for that report. a deep audit of **anson's** books might  
help.







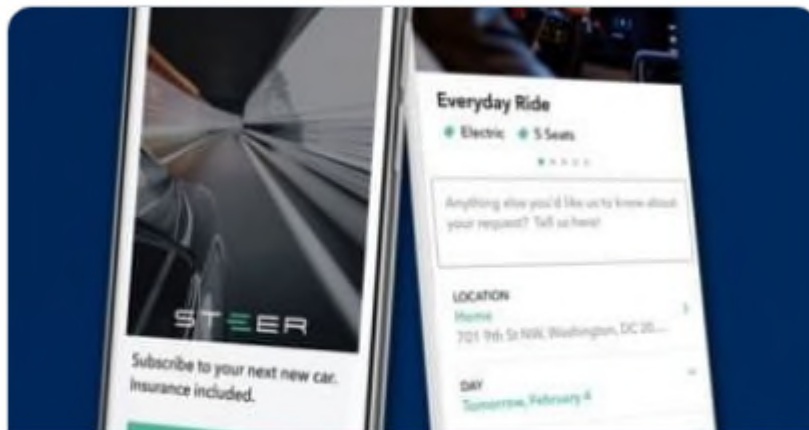
**John Murphy** @JohnMur67039142 · Sep 30

Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response. we are waiting @MunchingMoez [ansonfunds.com/wp-content/upl...](https://ansonfunds.com/wp-content/upl...)  
@QTRResearch @BettingBruiser @LamboJohnny @weedstreet420  
@davidmilstead



**John Murphy** @JohnMur67039142 · Oct 28

\$FD Facedrive target of an ongoing short attack by @AnsonGroupFunds how will this play out? @QTRResearch @BettingBruiser @weedstreet420  
@ddale8 @BNNBloomberg @DisruptorsBNN



Blackrock, Bezos And Musk Charging Ahead in this \$30 Trillion Mega-Tr...  
In the last two years there has been a 733% increase in ESG investments while tech companies have soared, now there is one new industry playe...  
[finance.yahoo.com](https://finance.yahoo.com)







**John Murphy** @JohnMur67039142 · Oct 30

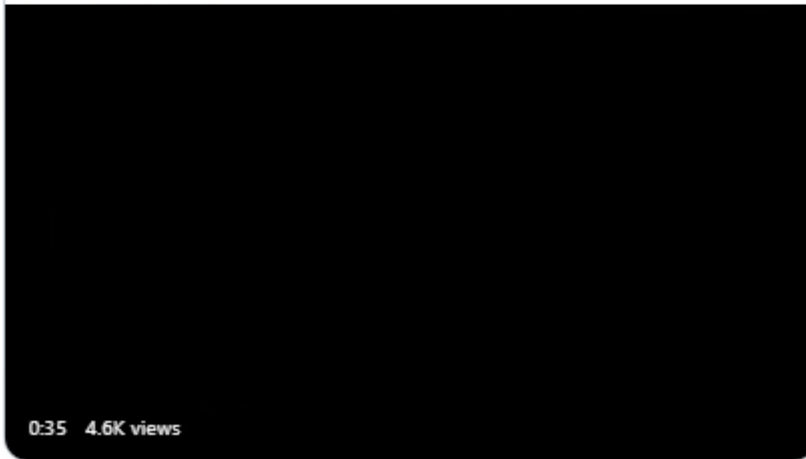
first this seems staged. but interesting how he discusses spending corp funds/ investor monies to defend his name and their toxic strategies.  
[@LamboJohnny](#) [@QTRResearch](#) [@weedstreet420](#) [@BNNBloomberg](#)  
[@JeffKehoeOSC](#)



**Betting Bruiser** @BettingBruiser · Oct 30

This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is scum of the earth.

[Show this thread](#)



0:35 4.6K views



1



1



3



ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT -and-  
LP, ANSON INVESTMENTS MASTER FUND LP AND  
MOEZ KASSAM  
Plaintiffs

ROBERT LEE DOXTATOR, JACOB DOXTATOR,  
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4  
AND OTHER PERSONS UNKNOWN  
Defendants

Court File No.

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**  
Proceeding commenced at Toronto

**STATEMENT OF CLAIM**

**BLAKE, CASSELS & GRAYDON LLP**

Barristers & Solicitors  
199 Bay Street  
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Toronto ON M5L 1A9

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**Christopher DiMatteo** LSO #68711E

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Fax: 416-863-2653  
christopher.dimatteo@blakes.com

Lawyers for the Plaintiffs

This is Exhibit "B" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**



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About Us

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What's makes Stockhouse truly unique is the power of our large community of active investors. Simply stated, investors come to Stockhouse to gain ideas and information to help them make money. Through our world famous Bullboards and Blogs, investors are able to engage with other like-minded investors and participate in meaningful conversations about stocks and other financial topics of interest. No other financial portal creates more user-generated content than Stockhouse.

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Stockhouse Publishing Ltd.

money. Through our world famous Bullboards and Blogs, investors are able to engage with other like-minded investors and participate in meaningful conversations about stocks and other financial topics of interest. No other financial portal creates more user-generated content than Stockhouse.

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Everything You Need to Know About This Canadian Cybersecurity Company Solving Real World Problems



The Green Metals Company Igniting the Green Revolution



A Past Production Gold Play with Future Potential for Much More



Investor Update from One of the Most Innovative Leaders in Cannabis Science



The Green Energy Play that's Poised and Positioned for Success



A "H" Oppc Neur Ment





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This is Exhibit "C" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**



Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Anson Advisors Inc et al  
Plaintiff(s)

AND

Doxtator et al  
Defendant(s)

Case Management ☐ Yes ☐ No by Judge: \_\_\_\_\_

Counsel	Telephone No:	Facsimile No:
I. Fischer / K. Pulfer		

- ☐ Order ☐ Direction for Registrar (No formal order need be taken out)  
☐ Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

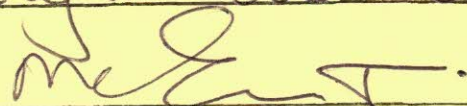
- ☐ Adjourned to: \_\_\_\_\_  
☐ Time Table approved (as follows): \_\_\_\_\_

The Plaintiffs bring this motion seeking an order requiring Stockhouse Publishing Ltd ("Stockhouse") to disclose to the Plaintiffs information or documents that could identify who created or accessed certain member accounts on the Stockhouse website.

For the reasons that follow I grant the order sought and an

11 June 21

Date



Judge's Signature

☒ Additional Pages Five

Court File Number: \_\_\_\_\_

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

order shall go as per the draft  
filed and signed, as attached.  
Stockhouse does not oppose the order  
sought. It operates a website  
catering to the investment community.  
Members can publish posts. These posts  
are often made on an anonymous  
basis under a username. <sup>TM</sup> anonymous

In this matter over 1000 posts  
have been made about the Plaintiffs.  
The Plaintiffs allege the posts are  
defamatory and abusive. The Plaintiffs  
seek the identities of the  
persons who registered each member  
account and other related relief  
which would help with identification.

In my view, the Plaintiffs are  
entitled to the information sought.

I have reviewed a sampling  
of the posts. I agree with the



Court File Number: \_\_\_\_\_

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

Plaintiffs that Rules 30.10 and 31.10  
permit production in a broad sense.

Specifically, I agree that the Plaintiffs  
have met the test governing Norwich  
orders which applies in a case  
such as this:

① Based on my review of a sampling  
of the posts the Plaintiffs have  
established a bare face claim against  
the wrongdoers.

② It is not contested that Stockhorse  
facilitated the communications.

③ Stockhorse is the only practical source  
of the information - the posts were  
anonymously published on Stockhorse. Thus  
there is no other way the Plaintiffs  
can identify the posters.

④ The Plaintiffs have undertaken to  
compensate Stockhorse for any costs  
incurred to comply with my order.



Court File Number: \_\_\_\_\_

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

⑤ I am satisfied that the interests of justice favour disclosure: 1654776 Ontario Ltd vs. Stewart 2013 ONCA 184 paras 14-15; Warman vs Wilkie-Fournier 2010 ONSC 2126 at para 34. It would be unfair to force the Plaintiff to proceed to trial w/o the information. Stockhouse does not object and I agree that the alleged wrongdoers cannot have a reasonable expectation of anonymity given Stockhouse's "Terms and Conditions of Use" (see page 4) which allow for disclosure in the circumstances of this case. Finally, the facts<sup>TM</sup> favour disclosure over freedom of expression given the above - including multiple posts in violation of Stockhouse's terms of use (Stockhouse took down the posts): Bere F&CT Consulting Group Inc vs Glassdoor Inc 2018 ONSC 3123 at para 16;

Court File Number. \_\_\_\_\_

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

Hill vs Church of Scientology of Toronto,  
[1995] 2 SCR 1130 at pages 120-121.

For the reasons above the order,  
as attached and signed, shall  
go.

*McL*

Court File Number: CV-20-00653410-00CL

**Superior Court of Justice**  
Commercial List

**FILE/DIRECTION/ORDER**

*Anson Advisors Inc. et. al.*

Plaintiff(s)

*Doxtator et. al.*

Defendant(s)

**Transcribed version of handwritten Endorsement of Justice McEwen dated June 11, 2021**

The Plaintiffs bring this motion seeking an order requiring Stockhouse Publishing Ltd. ("Stockhouse") to disclose to the Plaintiffs information or documents that could identify who created or accessed certain member accounts on the Stockhouse website.

For the reasons that follow I grant the order sought and an order shall go as per the draft filed and signed, as attached.

Stockhouse does not oppose the order sought. It operates a website catering to the investment community. Members can publish posts. These posts are often made on an anonymous basis under a username.

In this matter over 1,000 anonymous posts have been made about the Plaintiffs. The Plaintiffs allege the posts are defamatory and abusive. The Plaintiffs seek the identities of the persons who registered each member account and other related relief which would help with identification.

In my view, the Plaintiffs are entitled to the information sought.

I have reviewed a sampling of the posts. I agree with the Plaintiffs that Rules 30.10 and 31.10 permit production in a broad sense. Specifically, I agree that the Plaintiffs have met the test governing Norwich orders which applies in a case such as this:

1. Based on my review of a sampling of the posts the Plaintiffs have established a bona fide claim against the wrongdoers.
2. It is not contested that Stockhouse facilitated the communications.
3. Stockhouse is the only practical source of the information – the posts were anonymously published on Stockhouse. Thus, there is no other way the Plaintiffs can identify the posters.
4. The Plaintiffs have undertaken to compensate Stockhouse for any costs incurred to comply with my order.
5. I am satisfied that the interests of justice favour disclosure: *1654776 Ontario Ltd. vs. Stewart*, 2013 ONCA 184 paras 14-15; *Warman vs. Wilkins-Fournier*, 2010 ONSC 2126 at para

34. It would be unfair to force the Plaintiffs to proceed to trial w/o the information. Stockhouse does not object and I agree that the alleged wrongdoers cannot have a reasonable expectation of anonymity given Stockhouse's "Terms and Conditions of Use" (see page 4) which allow for disclosure in the circumstances of this case. Finally, the facts favour disclosure over freedom of expression given the above – including multiple posts in violation of Stockhouse's terms of use (Stockhouse took down the posts): *Bene FACT Consulting Group Inc. vs Glassdoor Inc.*, 2018 ONSC 3123 at para 16; *Hill vs Church of Scientology of Toronto*, [1995] 2 SCR 1130 at paras 120-121.

For the Reasons above the order, as attached and signed, shall go.

McEwen J.

This is Exhibit "D" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



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*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**



Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE  
MR. JUSTICE MCEWEN

)  
)  
)

FRIDAY, THE 11th  
DAY OF JUNE, 2021

B E T W E E N:

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

Plaintiffs

- and -

ROBERT DOXTATOR, JACOB DOXTATOR AND JOHN DOE 1, JOHN DOE  
2, JOHN DOE 3, JOHN DOE 4 AND OTHER PERSONS UNKNOWN

Defendants

AND B E T W E E N:

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

- and -

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and  
ALLEN SPEKTOR

Defendants by Counterclaim

**ORDER**

-2-

THIS MOTION, made by the Plaintiffs, Anson Advisors Inc., Anson Funds Management LP, Anson Investments Master Fund LP and Moez Kassam, against Stockhouse Publishing Ltd. (“**Stockhouse**”) for disclosure of certain documents and/or information was heard by videoconference on June 11, 2021.

ON READING the Motion Record, Factum and Book of Authorities of the Plaintiffs, filed, and the Supplementary Affidavit of Sunny Puri affirmed June 8, 2021, filed;

AND UPON HEARING the submissions of the lawyers for the Plaintiffs;

AND UPON NOTING that no one appeared for Stockhouse or any other party to this action, although they were duly served;

1. **THIS COURT ORDERS** that Stockhouse disclose to counsel for the Plaintiffs, within 15 days of receipt of a copy of this Order, the following information regarding the Stockhouse member accounts listed in **Schedule “A”** to this Order:

- (a) the name(s) of the person(s) who registered each member account, if such name(s) were provided to Stockhouse;
- (b) all identifying and contact information provided to Stockhouse by such person(s), including email addresses and/or telephone numbers;
- (c) if the Stockhouse member account is a paid account, the third party financial services provider that has payment information related to the member account;

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- (d) all Internet Protocol (“IP”) addresses associated with the member account and any IP history/user logs associated with the account; and
- (e) any other documents in Stockhouse possession, power or control or information in Stockhouse’s knowledge that could identify the person(s) who created and/or accessed and/or is/are otherwise associated with each member account.

2. **THIS COURT ORDERS** that the Plaintiffs shall reimburse Stockhouse for reasonable costs to produce the foregoing documents and/or information.

3. **THIS COURT ORDERS** that there shall be no costs of this Motion as against Stockhouse.

  
A handwritten signature in dark ink, appearing to read 'Me [unclear]', is written over a horizontal line.

-4-

**SCHEDULE "A"**

No.	Member Account User Name	Link to Account Member Page
1.	PatientDawg2016	<a href="https://stockhouse.com/members/patientdawg2016">https://stockhouse.com/members/patientdawg2016</a>
2.	DeepakSh	<a href="https://stockhouse.com/members/deepaksh">https://stockhouse.com/members/deepaksh</a>
3.	evtrader	<a href="https://stockhouse.com/members/evtrader">https://stockhouse.com/members/evtrader</a>
4.	paulys	<a href="https://stockhouse.com/members/paulys">https://stockhouse.com/members/paulys</a>
5.	Takingarisk	<a href="https://stockhouse.com/members/takingarisk">https://stockhouse.com/members/takingarisk</a>
6.	Vanillagorilla	<a href="https://stockhouse.com/members/vanillagorilla">https://stockhouse.com/members/vanillagorilla</a>
7.	Bundyj	<a href="https://stockhouse.com/members/bundyj">https://stockhouse.com/members/bundyj</a>
8.	FunGuy88	<a href="https://stockhouse.com/members/funguy88">https://stockhouse.com/members/funguy88</a>
9.	gghalmer	<a href="https://stockhouse.com/members/gghalmer">https://stockhouse.com/members/gghalmer</a>
10.	JerryBo	<a href="https://stockhouse.com/members/jerrybo">https://stockhouse.com/members/jerrybo</a>
11.	Froggy1	<a href="https://stockhouse.com/members/Froggy1">https://stockhouse.com/members/Froggy1</a>
12.	maplestock	<a href="https://stockhouse.com/members/maplestock">https://stockhouse.com/members/maplestock</a>
13.	stocksnsyrup	<a href="https://stockhouse.com/members/stocksnsyrup">https://stockhouse.com/members/stocksnsyrup</a>
14.	RodneySeid	<a href="https://stockhouse.com/members/rodneyseid">https://stockhouse.com/members/rodneyseid</a>
15.	thorgb1	<a href="https://stockhouse.com/members/thorgb1">https://stockhouse.com/members/thorgb1</a>
16.	Silentbull	<a href="https://stockhouse.com/members/silentbull">https://stockhouse.com/members/silentbull</a>
17.	cool888	<a href="https://stockhouse.com/members/cool888">https://stockhouse.com/members/cool888</a>
18.	wembley	<a href="https://stockhouse.com/members/wembley">https://stockhouse.com/members/wembley</a>
19.	AllBeefNoFiller	<a href="https://stockhouse.com/members/allbeefnofiller">https://stockhouse.com/members/allbeefnofiller</a>
20.	Zimmee1	<a href="https://stockhouse.com/members/zimmee1">https://stockhouse.com/members/zimmee1</a>
21.	penismightier	<a href="https://stockhouse.com/members/penismightier">https://stockhouse.com/members/penismightier</a>
22.	HubbardBlvdTO	<a href="https://stockhouse.com/members/hubbardblvdto">https://stockhouse.com/members/hubbardblvdto</a>
23.	stocktracker	<a href="https://stockhouse.com/members/stocktracker">https://stockhouse.com/members/stocktracker</a>
24.	Steven1964	<a href="https://stockhouse.com/members/steven1964">https://stockhouse.com/members/steven1964</a>
25.	gottahunch	<a href="https://stockhouse.com/members/gottahunch">https://stockhouse.com/members/gottahunch</a>
26.	Lisa1234	<a href="https://stockhouse.com/members/lisa1234">https://stockhouse.com/members/lisa1234</a>
27.	OldSchool	<a href="https://stockhouse.com/members/oldschool">https://stockhouse.com/members/oldschool</a>
28.	jupitercanada01	<a href="https://stockhouse.com/members/jupitercanada01">https://stockhouse.com/members/jupitercanada01</a>



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No.	Member Account User Name	Link to Account Member Page
29.	Findingmoney	<a href="https://stockhouse.com/members/findingmoney">https://stockhouse.com/members/findingmoney</a>
30.	truthseeker1	<a href="https://stockhouse.com/members/truthseeker1">https://stockhouse.com/members/truthseeker1</a>
31.	TOP3STOCKS	<a href="https://stockhouse.com/members/top3stocks">https://stockhouse.com/members/top3stocks</a>
32.	Imelda	<a href="https://stockhouse.com/members/imelda">https://stockhouse.com/members/imelda</a>
33.	Jamestango	<a href="https://stockhouse.com/members/jamestango">https://stockhouse.com/members/jamestango</a>
34.	KhalidZ	<a href="https://stockhouse.com/members/khalidz">https://stockhouse.com/members/khalidz</a>
35.	DiegoHuerta	<a href="https://stockhouse.com/members/diegohuerta">https://stockhouse.com/members/diegohuerta</a>
36.	MariaS	<a href="https://stockhouse.com/members/marias">https://stockhouse.com/members/marias</a>
37.	EnriqueL	<a href="https://stockhouse.com/members/enriqueel">https://stockhouse.com/members/enriqueel</a>
38.	Goldcross	<a href="https://stockhouse.com/members/goldcross">https://stockhouse.com/members/goldcross</a>
39.	RainbowRunner	<a href="https://stockhouse.com/members/RainbowRunner">https://stockhouse.com/members/RainbowRunner</a>
40.	greendaze	<a href="https://stockhouse.com/members/greendaze">https://stockhouse.com/members/greendaze</a>
41.	HopefulJuan	<a href="https://stockhouse.com/members/hopefuljuan">https://stockhouse.com/members/hopefuljuan</a>
42.	mydogchach	<a href="https://stockhouse.com/members/mydogchach">https://stockhouse.com/members/mydogchach</a>
43.	CannabisExpert	<a href="https://stockhouse.com/members/cannabisexpert">https://stockhouse.com/members/cannabisexpert</a>
44.	SandraZ	<a href="https://stockhouse.com/members/sandraz">https://stockhouse.com/members/sandraz</a>
45.	AlbertoN	<a href="https://stockhouse.com/members/alberton">https://stockhouse.com/members/alberton</a>
46.	zoe18	<a href="https://stockhouse.com/members/zoe18">https://stockhouse.com/members/zoe18</a>
47.	JimmyH	<a href="https://stockhouse.com/members/jimmyh">https://stockhouse.com/members/jimmyh</a>
48.	MichaW	<a href="https://stockhouse.com/members/michaw">https://stockhouse.com/members/michaw</a>
49.	Steve0123	<a href="https://stockhouse.com/members/steve0123">https://stockhouse.com/members/steve0123</a>
50.	BCBigBud	<a href="https://stockhouse.com/members/bcbigbud">https://stockhouse.com/members/bcbigbud</a>
51.	Schocor	<a href="https://stockhouse.com/members/schocor">https://stockhouse.com/members/schocor</a>
52.	GregorStauffer	<a href="https://stockhouse.com/members/gregorstauffer">https://stockhouse.com/members/gregorstauffer</a>
53.	BelenOli	<a href="https://stockhouse.com/members/belenoli">https://stockhouse.com/members/belenoli</a>
54.	HannaJensen	<a href="https://stockhouse.com/members/hannajensen">https://stockhouse.com/members/hannajensen</a>
55.	ErikaGross	<a href="https://stockhouse.com/members/erikagross">https://stockhouse.com/members/erikagross</a>
56.	ArmandDu	<a href="https://stockhouse.com/members/armanddu">https://stockhouse.com/members/armanddu</a>
57.	sollmg	<a href="https://stockhouse.com/members/sollmg">https://stockhouse.com/members/sollmg</a>
58.	EdithFay	<a href="https://stockhouse.com/members/edithfay">https://stockhouse.com/members/edithfay</a>

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No.	Member Account User Name	Link to Account Member Page
59.	Oilspecs	<a href="https://stockhouse.com/members/oilspecs">https://stockhouse.com/members/oilspecs</a>
60.	dotslashcompile	<a href="https://stockhouse.com/members/dotslashcompile">https://stockhouse.com/members/dotslashcompile</a>
61.	shooter300	<a href="https://stockhouse.com/members/shooter300">https://stockhouse.com/members/shooter300</a>
62.	Randumbtasks	<a href="https://stockhouse.com/members/Randumbtasks">https://stockhouse.com/members/Randumbtasks</a>
63.	JordiKal	<a href="https://stockhouse.com/members/jordikal">https://stockhouse.com/members/jordikal</a>
64.	Hardy4	<a href="https://stockhouse.com/members/hardy4">https://stockhouse.com/members/hardy4</a>
65.	DrinkDrank	<a href="https://stockhouse.com/members/DrinkDrank">https://stockhouse.com/members/DrinkDrank</a>
66.	Bossman24	<a href="https://stockhouse.com/members/bossman24">https://stockhouse.com/members/bossman24</a>
67.	MoeMoney	<a href="https://stockhouse.com/members/moemoney">https://stockhouse.com/members/moemoney</a>
68.	fellowship	<a href="https://stockhouse.com/members/fellowship">https://stockhouse.com/members/fellowship</a>
69.	UniqueKitty	<a href="https://stockhouse.com/members/uniquekitty">https://stockhouse.com/members/uniquekitty</a>
70.	MorganMorgan12	<a href="https://stockhouse.com/members/morganmorgan12">https://stockhouse.com/members/morganmorgan12</a>
71.	ToffRaffles	<a href="https://stockhouse.com/members/toffraffles">https://stockhouse.com/members/toffraffles</a>
72.	edwardoboo79	<a href="https://stockhouse.com/members/edwardoboo79">https://stockhouse.com/members/edwardoboo79</a>
73.	newcoin	<a href="https://stockhouse.com/members/newcoin">https://stockhouse.com/members/newcoin</a>
74.	superstockpick	<a href="https://stockhouse.com/members/superstockpick">https://stockhouse.com/members/superstockpick</a>
75.	Jackeden	<a href="https://stockhouse.com/members/jackeden">https://stockhouse.com/members/jackeden</a>
76.	TruthBeTold7	<a href="https://stockhouse.com/members/truthbetold7">https://stockhouse.com/members/truthbetold7</a>
77.	DeRoos	<a href="https://stockhouse.com/members/deroos">https://stockhouse.com/members/deroos</a>
78.	Halfordjackson	<a href="https://stockhouse.com/members/halfordjackson">https://stockhouse.com/members/halfordjackson</a>
79.	FlowerDejeune	<a href="https://stockhouse.com/members/flowerdejeune">https://stockhouse.com/members/flowerdejeune</a>
80.	VonFurstenberg	<a href="https://stockhouse.com/members/vonfurstenberg">https://stockhouse.com/members/vonfurstenberg</a>
81.	KarimKa	<a href="https://stockhouse.com/members/karimka">https://stockhouse.com/members/karimka</a>
82.	Benjaminefraim	<a href="https://stockhouse.com/members/benjaminefraim">https://stockhouse.com/members/benjaminefraim</a>
83.	GordonGatsby	<a href="https://stockhouse.com/members/gordongatsby">https://stockhouse.com/members/gordongatsby</a>
84.	RodPirate	<a href="https://stockhouse.com/members/rodpirate">https://stockhouse.com/members/rodpirate</a>
85.	FabbyDebbie	<a href="https://stockhouse.com/members/fabbydebbie">https://stockhouse.com/members/fabbydebbie</a>
86.	Implications	<a href="https://stockhouse.com/members/implications">https://stockhouse.com/members/implications</a>
87.	Antid0te	<a href="https://stockhouse.com/members/antid0te">https://stockhouse.com/members/antid0te</a>
88.	Aladdinn	<a href="https://stockhouse.com/members/aladdinn">https://stockhouse.com/members/aladdinn</a>



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No.	Member Account User Name	Link to Account Member Page
89.	KingJohn97	<a href="https://stockhouse.com/members/kingjohn97">https://stockhouse.com/members/kingjohn97</a>
90.	Frankmasterson	<a href="https://stockhouse.com/members/frankmasterson">https://stockhouse.com/members/frankmasterson</a>
91.	JohannaJenni	<a href="https://stockhouse.com/members/johannajenni">https://stockhouse.com/members/johannajenni</a>
92.	TheGrapeOne	<a href="https://stockhouse.com/members/thegrapeone">https://stockhouse.com/members/thegrapeone</a>
93.	NorthOntKid	<a href="https://stockhouse.com/members/northontkid">https://stockhouse.com/members/northontkid</a>
94.	TheMoneyMaker1	<a href="https://stockhouse.com/members/themoneymaker1">https://stockhouse.com/members/themoneymaker1</a>
95.	SlapTheAskUni	<a href="https://stockhouse.com/members/slaptheaskuni">https://stockhouse.com/members/slaptheaskuni</a>
96.	3DThree	<a href="https://stockhouse.com/members/3dthree">https://stockhouse.com/members/3dthree</a>
97.	quinlash	<a href="https://stockhouse.com/members/quinlash">https://stockhouse.com/members/quinlash</a>
98.	Burdensome4	<a href="https://stockhouse.com/members/burdensome4">https://stockhouse.com/members/burdensome4</a>
99.	DodgeCharger68	<a href="https://stockhouse.com/members/DodgeCharger68">https://stockhouse.com/members/DodgeCharger68</a>
100.	Smatteson	<a href="https://stockhouse.com/members/smatteson">https://stockhouse.com/members/smatteson</a>
101.	westsidetrader	<a href="https://stockhouse.com/members/westsidetrader">https://stockhouse.com/members/westsidetrader</a>
102.	juniorbullalive	<a href="https://stockhouse.com/members/juniorbullalive">https://stockhouse.com/members/juniorbullalive</a>
103.	StewartOregon	<a href="https://stockhouse.com/members/stewartoregon">https://stockhouse.com/members/stewartoregon</a>
104.	DrehMann	<a href="https://stockhouse.com/members/drehmann">https://stockhouse.com/members/drehmann</a>
105.	RuslanP	<a href="https://stockhouse.com/members/ruslanp">https://stockhouse.com/members/ruslanp</a>
106.	PrivJan9	<a href="https://stockhouse.com/members/privjan9">https://stockhouse.com/members/privjan9</a>
107.	J46738	<a href="https://stockhouse.com/members/j46738">https://stockhouse.com/members/j46738</a>
108.	knowszero	<a href="https://stockhouse.com/members/knowszero">https://stockhouse.com/members/knowszero</a>
109.	maplesyrupcan	<a href="https://stockhouse.com/members/maplesyrupcan">https://stockhouse.com/members/maplesyrupcan</a>
110.	Mikek69	<a href="https://stockhouse.com/members/mikek69">https://stockhouse.com/members/mikek69</a>
111.	Hiddensecrets	<a href="https://stockhouse.com/members/hiddensecrets">https://stockhouse.com/members/hiddensecrets</a>
112.	elvishasnotleft	<a href="https://stockhouse.com/members/eivishasnotieft">https://stockhouse.com/members/eivishasnotieft</a>
113.	blaggers	<a href="https://stockhouse.com/members/biaggers">https://stockhouse.com/members/biaggers</a>
114.	StewyOregon	<a href="https://stockhouse.com/members/stewyoregon">https://stockhouse.com/members/stewyoregon</a>
115.	AngelaL	<a href="https://stockhouse.com/members/angelal">https://stockhouse.com/members/angelal</a>
116.	JomKart	<a href="https://stockhouse.com/members/jomkart">https://stockhouse.com/members/jomkart</a>
117.	DoraDrucker	<a href="https://stockhouse.com/members/doradrucker">https://stockhouse.com/members/doradrucker</a>

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No.	Member Account User Name	Link to Account Member Page
118.	NemeCan	<a href="https://stockhouse.com/members/nemecan">https://stockhouse.com/members/nemecan</a>
119.	teheran10	<a href="https://stockhouse.com/members/teheran10">https://stockhouse.com/members/teheran10</a>
120.	keithvictoria4	<a href="https://stockhouse.com/members/keithvictoria41">https://stockhouse.com/members/keithvictoria41</a>
121.	willyk3	<a href="https://stockhouse.com/members/willyk3">https://stockhouse.com/members/willyk3</a>
122.	Jasper66	<a href="https://stockhouse.com/members/jasper66">https://stockhouse.com/members/jasper66</a>
123.	knowsbest	<a href="https://stockhouse.com/members/knowsbest">https://stockhouse.com/members/knowsbest</a>
124.	vitalina2233	<a href="https://stockhouse.com/members/vitalina2233">https://stockhouse.com/members/vitalina2233</a>
125.	Chrisvaughan	<a href="https://stockhouse.com/members/chrisvaughan">https://stockhouse.com/members/chrisvaughan</a>
126.	EmmaCarp	<a href="https://stockhouse.com/members/emmacarp">https://stockhouse.com/members/emmacarp</a>
127.	GVJohnny	<a href="https://stockhouse.com/members/gvjohnny">https://stockhouse.com/members/gvjohnny</a>
128.	Cgbuddy	<a href="https://stockhouse.com/members/cgbuddy">https://stockhouse.com/members/cgbuddy</a>
129.	Huntermichal2	<a href="https://stockhouse.com/members/huntermichal2">https://stockhouse.com/members/huntermichal2</a>
130.	wmstock	<a href="https://stockhouse.com/members/wmstock">https://stockhouse.com/members/wmstock</a>
131.	Matteo1234	<a href="https://stockhouse.com/members/matteo1234">https://stockhouse.com/members/matteo1234</a>
132.	Carlofisher	<a href="https://stockhouse.com/members/carlofisher">https://stockhouse.com/members/carlofisher</a>
133.	bobus99	<a href="https://stockhouse.com/members/bobus99">https://stockhouse.com/members/bobus99</a>
134.	cyrustg	<a href="https://stockhouse.com/members/cyrustg">https://stockhouse.com/members/cyrustg</a>
135.	Salvadorbelen	<a href="https://stockhouse.com/members/salvadorbelen">https://stockhouse.com/members/salvadorbelen</a>
136.	Ryjo1980	<a href="https://stockhouse.com/members/ryjo1980">https://stockhouse.com/members/ryjo1980</a>
137.	Bpultra	<a href="https://stockhouse.com/members/bpultra">https://stockhouse.com/members/bpultra</a>
138.	Marlinfisher	<a href="https://stockhouse.com/members/marlinfisher">https://stockhouse.com/members/marlinfisher</a>
139.	bud13	<a href="https://stockhouse.com/members/bud13">https://stockhouse.com/members/bud13</a>
140.	Moezkass	<a href="https://stockhouse.com/members/moezkass">https://stockhouse.com/members/moezkass</a>
141.	Seraphim1	<a href="https://stockhouse.com/members/seraphim1">https://stockhouse.com/members/seraphim1</a>
142.	Scumraiff	<a href="https://stockhouse.com/members/scumraiff">https://stockhouse.com/members/scumraiff</a>
143.	Moon333	<a href="https://stockhouse.com/members/moon333">https://stockhouse.com/members/moon333</a>



Court File No. CV-20-00653410-00CL

ANSON ADVISORS INC. et al. -and- ROBERT LEE DOXTATOR et al.  
Plaintiffs Defendants

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**ORDER**

**BLAKE, CASSELS & GRAYDON LLP**

Barristers & Solicitors  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto ON M5L 1A9

**Michael Barrack** LSO #21941W

Tel: 416-863-5280  
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**Iris Fischer** LSO #52762M

Tel: 416-863-2408  
iris.fischer@blakes.com

**Kaley Pulfer** LSO #58413T

Tel: 416-863-2756  
kaley.pulfer@blakes.com

**Christopher DiMatteo** LSO #68711E

Tel: 416-863-3342  
Fax: 416-863-2653  
christopher.dimatteo@blakes.com

Lawyers for the Plaintiffs / Moving Parties

This is Exhibit "E" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

A handwritten signature in black ink, appearing to read 'Maura O'Sullivan', written over a horizontal line.

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

**B E T W E E N:**

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

Plaintiffs

- and -

ROBERT LEE DOXTATOR, JACOB DOXTATOR, JOHN DOE 1, JOHN  
DOE 2, JOHN DOE 3, JOHN DOE 4 and OTHER PERSONS UNKNOWN

Defendants

**AND B E T W E E N:**

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

- and -

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and  
ALLEN SPEKTOR

Defendants by Counterclaim

**NOTICE OF CHANGE OF LAWYER**

The Plaintiffs/Defendants by Counterclaim, Anson Advisors Inc., Anson Funds Management LP, Anson Investments Master Fund LP and Moez Kassam, formerly represented by Blake, Cassels & Graydon LLP, have appointed Davies Ward Phillips & Vineberg LLP as Lawyers of Record.

November 12, 2021

**DAVIES WARD PHILLIPS & VINEBERG LLP**

155 Wellington Street West  
Toronto ON M5V 3J7

**Matthew Milne-Smith** (LSO #44266P)

Tel: 416.863.5595

Email: mmilne-smith@dwpv.com

**Andrew Carlson** (LSO #58850N)

Tel: 416.367.7437

Email: acarlson@dwpv.com

**Maura O'Sullivan** (LSO #77098R)

Tel: 416.367.7481

Email: mosullivan@dwpv.com

Lawyers for the Plaintiffs/Defendants by Counterclaim  
Anson Advisors Inc., Anson Funds Management LP,  
Anson Investments Master Fund LP and Moez Kassam

TO:

**BLAKE, CASSELS & GRAYDON LLP**

Barristers & Solicitors

199 Bay Street

Suite 4000, Commerce Court West

Toronto ON M5L 1A9

**Michael Barrack**

Tel: 416.863.5280

michael.barrack@blakes.com

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**Christopher DiMatteo**

Tel: 416-863-3342

christopher.dimatteo@blakes.com

Former Lawyers for the Plaintiffs/Defendants by Counterclaim  
Anson Advisors Inc., Anson Funds Management LP, Anson Investments  
Master Fund LP and Moez Kassam

AND TO: **GROIA & COMPANY**  
Barristers and Solicitors  
365 Bay Street  
Suite 1100  
Toronto ON M5H 2V1

**Joseph Groia** LSO #20612J  
Tel: 416.203.4472

Lawyers for the Defendant Jacob Doxtator and  
the Defendant (Plaintiff by Counterclaim) Robert Lee Doxtator

AND TO: **JOHN DOES 1-4**

Defendants

AND TO: **OTHER PERSONS UNKNOWN**

Defendants

AND TO: **ALLEN SPEKTOR**  
allenspektor@gmail.com

Defendant by Counterclaim

ANSON ADVISORS INC. et al.  
Plaintiffs

-and-

ROBERT LEE DOXTATOR et al.  
Defendants

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**NOTICE OF CHANGE OF LAWYER**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto ON M5V 3J7

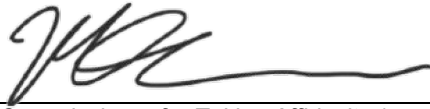
**Matthew Milne-Smith** (LSO #44266P)  
Tel: 416.863.5595  
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**Andrew Carlson** (LSO #58850N)  
Tel: 416.367.7437  
Email: acarlson@dwpv.com

**Maura O'Sullivan** (LSO #77098R)  
Tel: 416.367.7481  
Email: mosullivan@dwpv.com

Lawyers for the Plaintiffs/Defendants by  
Counterclaim  
Anson Advisors Inc., Anson Funds Management  
LP, Anson Investments Master Fund LP and Moez  
Kassam

This is Exhibit "F" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Anson Advisors Inc et al  
Plaintiff(s)

AND

Daxtatar et al  
Defendant(s)

Case Management ☒ Yes ☐ No by Judge: Carway J.

Counsel	Telephone No:	Facsimile No:
<u>(See counsel slip)</u>		

- ☐ Order ☐ Direction for Registrar (No formal order need be taken out)  
☐ Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- ☐ Adjourned to: \_\_\_\_\_  
☐ Time Table approved (as follows): \_\_\_\_\_

<p>Justice Carway has agreed to case manage this matter. ✓ A C.C. will be held on Jan 19/22 @ noon for one hour. In the interim I will sign the order concerning the amended pleading if it is proposed. It can be sent to me via email.</p>
--

15 Nov 21  
Date

Mr. [Signature]  
Judge's Signature

☐ Additional Pages \_\_\_\_\_



This is Exhibit "G" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**

---

**From:** Milne-Smith, Matthew  
**Sent:** November 15, 2021 10:43 AM  
**To:** Won J. Kim; Joe Groia; Trevor Fairlie; James Stafford; james@floatingmix.com; admin@safehaven.com; james@oilprice.com; andrew.rudensky@gmail.com; ar@delavaco.com; allenspektor@gmail.com; Megan B. McPhee; Aris Gyamfi; krichard@groiaco.com  
**Cc:** Carlson, Andrew; O'Sullivan, Maura  
**Subject:** RE: Subject: RE: Anson Advisors Inc et al v. Robert Doxtator et al - CV-20-00653410-00CL -- Motion Scheduling  
  
**Categories:** DM, #279486

Counsel and self-represented parties,

We had a case conference this morning before Justice McEwen, notwithstanding the Court's late Friday email indicating the case conference had been moved to this coming Friday. Mr. Richards (counsel to the Doxtators) and Mr. Kim and Ms McPhee (special counsel to Mr. Stafford) were also in attendance.

I advised Justice McEwen of the confusion and so for now, we have preserved the appointment for this Friday in case anyone objects to what has transpired to date. Subject to that proviso, here is what we agreed:

- The case will be assigned to be case managed by Justice Conway. Our first case conference will be at 12:00 p.m. on January 19, 2022.
- The Fresh as Amended Claim will be accepted for filing on the basis that it is unopposed.

If you object to case management, please advise me by the end of day today, failing which I will advise Justice McEwen that the appointment for Friday can be cancelled. If you oppose the filing of the Fresh as Amended Statement of Claim, please advise me by the end of this week, failing which I will advise Justice McEwen that it is unopposed. There will be no costs if the matter is unopposed but we will seek costs in the event that it is opposed and a formal motion is required.

If any self-represented parties have retained counsel, please advise me so that we may communicate with counsel.

Yours very truly,

Matthew Milne-Smith

---

**From:** Milne-Smith, Matthew  
**Sent:** November 12, 2021 4:58 PM  
**To:** Won J. Kim <wjkc@complexlaw.ca>; Joe Groia <jgroia@groiaco.com>; Trevor Fairlie <TFairlie@groiaco.com>; James Stafford <admin@oilprice.com>; james@floatingmix.com; admin@safehaven.com; james@oilprice.com; andrew.rudensky@gmail.com; ar@delavaco.com; allenspektor@gmail.com; Sheppard, Gregory <gregory.sheppard@blakes.com>; Megan B. McPhee <mbm@complexlaw.ca>; Aris Gyamfi <ag@complexlaw.ca>  
**Cc:** Carlson, Andrew <acarlson@dwvpv.com>; O'Sullivan, Maura <mosullivan@dwvpv.com>  
**Subject:** RE: Subject: RE: Anson Advisors Inc et al v. Robert Doxtator et al - CV-20-00653410-00CL -- Motion Scheduling

Counsel and self-represented parties,

as follows:

"No materials will be permitted. Each matter will be allotted a max of 10 minutes in length. The moving party will be required to upload their request form, a 2 page Aide Memoire and a participant sheet (in word format) to Caselines. A Caselines invite has been sent. As per the Supplemental Notice to the Profession, the moving party's counsel will be responsible for inviting any remaining counsel, parties and colleagues once they receive the initial invite. The court will also be providing the zoom line for these scheduling appointments (see below). **Counsel are required to log in at 8:30 am** and wait until their matter is called and the registrar grants them access to the virtual courtroom. Any scheduling appointment that does not meet these conditions will have to wait for the next available date."

The Zoom meeting details are below:

Join Zoom Meeting

<https://ca01web.zoom.us/j/64777291475?pwd=djZlNXNtaFVvQzNXcXRpM3k3RGNHdz09>

Meeting ID: 647 7729 1475

Passcode: 648020

One tap mobile

+17789072071,,64777291475#,,,,\*648020# Canada

+12042727920,,64777291475#,,,,\*648020# Canada

Dial by your location

+1 778 907 2071 Canada

+1 204 272 7920 Canada

+1 438 809 7799 Canada

+1 587 328 1099 Canada

+1 613 209 3054 Canada

+1 647 374 4685 Canada

+1 647 558 0588 Canada

855 703 8985 Canada Toll-free

Meeting ID: 647 7729 1475

Passcode: 648020

Find your local number: <https://ca01web.zoom.us/j/64777291475?pwd=djZlNXNtaFVvQzNXcXRpM3k3RGNHdz09>

Join by SIP

[64777291475@zmca.us](mailto:64777291475@zmca.us)

Join by H.323

[69.174.57.160](tel:69.174.57.160) (Canada Toronto)

[65.39.152.160](tel:65.39.152.160) (Canada Vancouver)

Meeting ID: 647 7729 1475

Passcode: 648020

---

**From:** Milne-Smith, Matthew <[MMilne-Smith@dwvpv.com](mailto:MMilne-Smith@dwvpv.com)>

**Sent:** November 11, 2021 3:48 PM

**To:** Milne-Smith, Matthew <[MMilne-Smith@dwvpv.com](mailto:MMilne-Smith@dwvpv.com)>

**Cc:** Won J. Kim <[wjk@complexlaw.ca](mailto:wjk@complexlaw.ca)>; Barrack, Michael <[michael.barrack@blakes.com](mailto:michael.barrack@blakes.com)>; Joe Groia <[jgroia@groiaco.com](mailto:jgroia@groiaco.com)>; Trevor Fairlie <[TFairlie@groiaco.com](mailto:TFairlie@groiaco.com)>; James Stafford <[admin@oilprice.com](mailto:admin@oilprice.com)>; [james@floatingmix.com](mailto:james@floatingmix.com); [staffjam888@yahoo.co.uk](mailto:staffjam888@yahoo.co.uk); [admin@safehaven.com](mailto:admin@safehaven.com); [flybiggles555@yahoo.com](mailto:flybiggles555@yahoo.com);

[webmaster@amswebdesign.com](mailto:webmaster@amswebdesign.com), [james@oilprice.com](mailto:james@oilprice.com), [andrew.rudensky@gmail.com](mailto:andrew.rudensky@gmail.com), [ar@delavaco.com](mailto:ar@delavaco.com),

[allenspektor@gmail.com](mailto:allenspektor@gmail.com); Fischer, Iris <[iris.fischer@blakes.com](mailto:iris.fischer@blakes.com)>; DiMatteo, Christopher

<[christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com)>; Sheppard, Gregory <[gregory.sheppard@blakes.com](mailto:gregory.sheppard@blakes.com)>; Megan B. McPhee

<[mbm@complexlaw.ca](mailto:mbm@complexlaw.ca)>; Aris Gyamfi <[ag@complexlaw.ca](mailto:ag@complexlaw.ca)>; Carlson, Andrew <[acarlson@dpv.com](mailto:acarlson@dpv.com)>

**Subject:** Re: Subject: RE: Anson Advisors Inc et al v. Robert Duxtator et al - CV-20-00653410-00CL -- Motion Scheduling

Counsel and self-represented parties,

To resolve a potential conflict we have been retained to assume carriage of this matter from the Blakes firm. We will be serving our Notice of Change of Solicitors as soon as possible. Please copy myself and my partner Andrew Carlson (copied) on all correspondence moving forward.

We will do our best to get up to speed before the case conference Monday but please reach out to me if there is anything you would like to discuss in advance.

Yours very truly,

Matt

On Nov 9, 2021, at 9:53 AM, McEwen, Mr. Justice Thomas John (SCJ) <[ThomasJohn.McEwen@scj-csj.ca](mailto:ThomasJohn.McEwen@scj-csj.ca)> wrote:

### External Email | Courriel électronique externe

Counsel,

I am receiving emails about various issues I did not enquire about.

All I wanted to know is whether anyone objects to case management.

To simplify matters, please do not email me any more.

I will conduct a brief case conference in the near future.

The CL office will be in touch.

*Justice T. McEwen*

---

**From:** Won J. Kim <[wjk@complexlaw.ca](mailto:wjk@complexlaw.ca)>

**Sent:** November 9, 2021 9:48 AM

**To:** McEwen, Mr. Justice Thomas John (SCJ) <[ThomasJohn.McEwen@scj-csj.ca](mailto:ThomasJohn.McEwen@scj-csj.ca)>

**Cc:** [michael.barrack@blakes.com](mailto:michael.barrack@blakes.com); Joe Groia <[jgroia@groiaco.com](mailto:jgroia@groiaco.com)>; Trevor Fairlie <[TFairlie@groiaco.com](mailto:TFairlie@groiaco.com)>; James Stafford <[admin@oilprice.com](mailto:admin@oilprice.com)>; [james@floatingmix.com](mailto:james@floatingmix.com); [staffjam888@yahoo.co.uk](mailto:staffjam888@yahoo.co.uk); [admin@safehaven.com](mailto:admin@safehaven.com); [flybiggles555@yahoo.com](mailto:flybiggles555@yahoo.com); [webmaster@amswebdesign.com](mailto:webmaster@amswebdesign.com); [james@oilprice.com](mailto:james@oilprice.com); [andrew.rudensky@gmail.com](mailto:andrew.rudensky@gmail.com); [ar@delavaco.com](mailto:ar@delavaco.com); [allenspektor@gmail.com](mailto:allenspektor@gmail.com); [iris.fischer@blakes.com](mailto:iris.fischer@blakes.com); [christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com); [gregory.sheppard@blakes.com](mailto:gregory.sheppard@blakes.com); Megan B. McPhee <[mbm@complexlaw.ca](mailto:mbm@complexlaw.ca)>; Aris Gyamfi <[ag@complexlaw.ca](mailto:ag@complexlaw.ca)>

**Subject:** RE: Subject: RE: Anson Advisors Inc et al v. Robert Duxtator et al - CV-20-00653410-00CL -- Motion Scheduling

Good Morning Justice McEwen,

I have been consulted by James Stafford for the specific purpose of bringing a preliminary motion to disqualify Blakes as counsel on the proposed action against him on the grounds that there is a clear conflict of interest.

Blakes currently acts as counsel for Mr. Stafford on a matter which raises clear conflicts for the firm.

At this time, I am not yet in a position to assist the court on the service motion.

Respectfully,

WJK

---

**From:** McEwen, Mr. Justice Thomas John (SCJ) <[ThomasJohn.McEwen@scj-csj.ca](mailto:ThomasJohn.McEwen@scj-csj.ca)>  
**Sent:** Tuesday, November 9, 2021 8:43 AM  
**To:** Barrack, Michael <[michael.barrack@blakes.com](mailto:michael.barrack@blakes.com)>  
**Cc:** Joe Groia <[jgroia@groiacom.com](mailto:jgroia@groiacom.com)>; Trevor Fairlie <[tfairlie@groiacom.com](mailto:tfairlie@groiacom.com)>; James Stafford <[admin@oilprice.com](mailto:admin@oilprice.com)>; [james@floatingmix.com](mailto:james@floatingmix.com); [Staffjam888@yahoo.co.uk](mailto:Staffjam888@yahoo.co.uk); [admin@safehaven.com](mailto:admin@safehaven.com); [flybiggles555@yahoo.com](mailto:flybiggles555@yahoo.com); [webmaster@amswebdesign.com](mailto:webmaster@amswebdesign.com); James Stafford <[james@oilprice.com](mailto:james@oilprice.com)>; [Andrew.rudensky@gmail.com](mailto:Andrew.rudensky@gmail.com); [ar@delavaco.com](mailto:ar@delavaco.com); [allenspektor@gmail.com](mailto:allenspektor@gmail.com); Fischer, Iris <[iris.fischer@blakes.com](mailto:iris.fischer@blakes.com)>; DiMatteo, Christopher <[christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com)>; Sheppard, Gregory <[gregory.sheppard@blakes.com](mailto:gregory.sheppard@blakes.com)>  
**Subject:** RE: Subject: RE: Anson Advisors Inc et al v. Robert Doxtator et al - CV-20-00653410-00CL -- Motion Scheduling

Counsel,  
Is there any objection to this request?  
Please let me know.

*Justice T. McEwen*

---

**From:** Barrack, Michael <[michael.barrack@blakes.com](mailto:michael.barrack@blakes.com)>  
**Sent:** November 8, 2021 12:17 PM  
**To:** McEwen, Mr. Justice Thomas John (SCJ) <[ThomasJohn.McEwen@scj-csj.ca](mailto:ThomasJohn.McEwen@scj-csj.ca)>  
**Cc:** Joe Groia <[jgroia@groiacom.com](mailto:jgroia@groiacom.com)>; Trevor Fairlie <[tfairlie@groiacom.com](mailto:tfairlie@groiacom.com)>; [admin@oilprice.com](mailto:admin@oilprice.com); [james@floatingmix.com](mailto:james@floatingmix.com); [Staffjam888@yahoo.co.uk](mailto:Staffjam888@yahoo.co.uk); [admin@safehaven.com](mailto:admin@safehaven.com); [flybiggles555@yahoo.com](mailto:flybiggles555@yahoo.com); [webmaster@amswebdesign.com](mailto:webmaster@amswebdesign.com); [james@oilprice.com](mailto:james@oilprice.com); [Andrew.rudensky@gmail.com](mailto:Andrew.rudensky@gmail.com); [ar@delavaco.com](mailto:ar@delavaco.com); [allenspektor@gmail.com](mailto:allenspektor@gmail.com); Fischer, Iris <[iris.fischer@blakes.com](mailto:iris.fischer@blakes.com)>; DiMatteo, Christopher <[christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com)>; Sheppard, Gregory <[gregory.sheppard@blakes.com](mailto:gregory.sheppard@blakes.com)>  
**Subject:** Subject: RE: Anson Advisors Inc et al v. Robert Doxtator et al - CV-20-00653410-00CL -- Motion Scheduling

Dear Justice McEwen,

I write with a request that the above-noted matter (*Anson Advisors Inc. et al. v. Robert Doxtator et al.*, CV-20-00653410-00CL) be assigned to case management by a judge of the Commercial List.

The Statement of Claim in this action was issued in the Commercial List on December 17, 2020. Our clients are the plaintiffs, which are a number of entities that together comprise Anson Funds, along with its Chief Investment Officer and founder Moez Kassam. They brought the claim because they have been the targets of a sophisticated conspiracy resulting in a campaign of online attacks on their business. At the time the Statement of Claim was issued, Anson had identified two co-conspirators, who were named

identified.

Two motions followed after the Statement of Claim was issued. In February, Justice Cavanagh granted a motion addressing service on one of the original named defendants, now represented by Mr. Groia; and in late June you granted a motion for a Norwich order for disclosure of records from Stockhouse Publishing Ltd. There is also a counterclaim by the defendant Robert Doxtator, and another party (Allen Spektor) is also named as a defendant to the counterclaim.

Additional material facts have come to light and the plaintiffs now wish to amend their Statement of Claim to reflect this, including adding two defendants to the claim, James Stafford and Andrew Rudensky.

The plaintiffs have indicated to the defendants and intended defendants that they plan to bring a motion for (1) leave to amend the Statement of Claim, including to add James Stafford and Andrew Rudensky as defendants to the claim, and (2) for validated or substituted service of the Statement of Claim on James Stafford. To the plaintiffs' knowledge, Mr. Stafford and Mr. Rudensky are currently unrepresented by counsel. Mr. Spektor is also unrepresented. The plaintiffs have attempted to serve a Notice of Motion on email addresses believed to be used by Mr. Stafford and Mr. Rudensky, but have not heard from them. To that end, the parties will be appearing before you on November 15 in order to book a hearing date for the plaintiffs' intended motion.

Given the increasing complexity of this matter, the number of motions already heard and pending, and the fact that a number of parties are unrepresented, the plaintiffs request that this matter be assigned to a case management judge to ensure that it proceeds expeditiously towards trial. There is significant urgency in the timely hearing of this matter, given the continued nature and the content of the online attacks against Anson and Mr. Kassam, which have included attempts by the conspirators to draw the attention of securities regulators and the media to the unlawful online statements.

Thank you for considering this request. We would be pleased to discuss further.

Michael

Michael Barrack  
Partner  
416-863-5280 (office)  
416-624-0772 (cell)  
Dial In  
Ready Access Number 1-855-318-4202  
Local - 416-359-1299  
PIN 863-5280

---

**Blake, Cassels & Graydon LLP**

199 Bay Street, Suite 4000, Toronto ON M5L 1A9

Tel: 416-863-2400 Fax: 416-863-2653

**[blakes.com](http://blakes.com) | [LinkedIn](#)**

**For the latest legal and business updates regarding COVID-19, visit our [Resource Centre](#)**

**Blake, Cassels & Graydon LLP | Barristers & Solicitors | Patent & Trademark Agents**

This email communication is CONFIDENTIAL AND LEGALLY PRIVILEGED. If you are not the intended recipient, please notify me at the telephone number shown above or by return email and delete this communication and any copy immediately. Thank you.

L'information paraissant dans ce message électronique est CONFIDENTIELLE. Si ce message vous est parvenu par erreur, veuillez immédiatement m'en aviser par téléphone ou par courriel et en détruire toute copie. Merci.

This is Exhibit "H" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**





**Betting Bruiser**  
@BettingBruiser



The people trying to shame me for getting sued by a predatory short selling fund all should be all hanging their head in shame today.

It's just the beginning. I'm only here to watch it all burn down in flames.

People don't have a clue what happens behind the scenes.



10:42 AM · Dec 10, 2021 · Twitter for iPhone

8 Retweets 2 Quote Tweets 134 Likes



**Betting Bruiser**

@BettingBruiser



Replying to [@MSOElevator](#)

People need to realize who enemy number 1 is

10:46 AM · Dec 10, 2021 · Twitter for iPhone

8 Likes



**Betting Bruiser**  
@BettingBruiser

Replying to @zerohedge

Target #1 ... Anson Funds ... see my \$100m+ lawsuit



**munchingmoez**  
Manhattan, New York



### Anson Funds: Best Equity Hedge Fund (Over USD500m)



Moez Kassam, CEO, Anson Funds, says: "With the rise of the retail investor and the extreme moves that so-called 'meme stocks' have experienced, prudent risk management processes have become increasingly important to ensure that market actors have enough protection against downside scenarios, which can emerge with alarming speed."

According to Anson Funds, the key to navigating the present market environment is to be nimble and adapt the investment and risk management approach to changing circumstances.

AUM	
Anson Investments Master Fund US	USD880m
Anson Firmwide	USD1.35bn
Returns	
2021 YTD	+44.3 per cent
Inception to Date (Jul 2007)	+731.7 per cent
Annualised	+15.8 per cent



311 likes

munchingmoez #ansonfunds #handsomefunds  
#teameffort #marketagnostic #memestocks #reddit  
#wallstreetbets #thehustle @ansonfunds  
#hedgeweekawards #

12:20 PM · Dec 10, 2021 · Twitter for iPhone

3 Likes



## Tweet



**Betting Bruiser**

@BettingBruiser

...

For the record ... I have not lost one wink of sleep over my lawsuit ...

I know I was doing the work that regulators and journalists were not.

In return I was called childish names and my family members were targeted for no reason other than to silence me.

**I WONT BE SILENCED.**

12:24 PM · Dec 10, 2021 · Twitter for iPhone

1 Retweet   1 Quote Tweet   112 Likes



**Betting Bruiser**  
@BettingBruiser

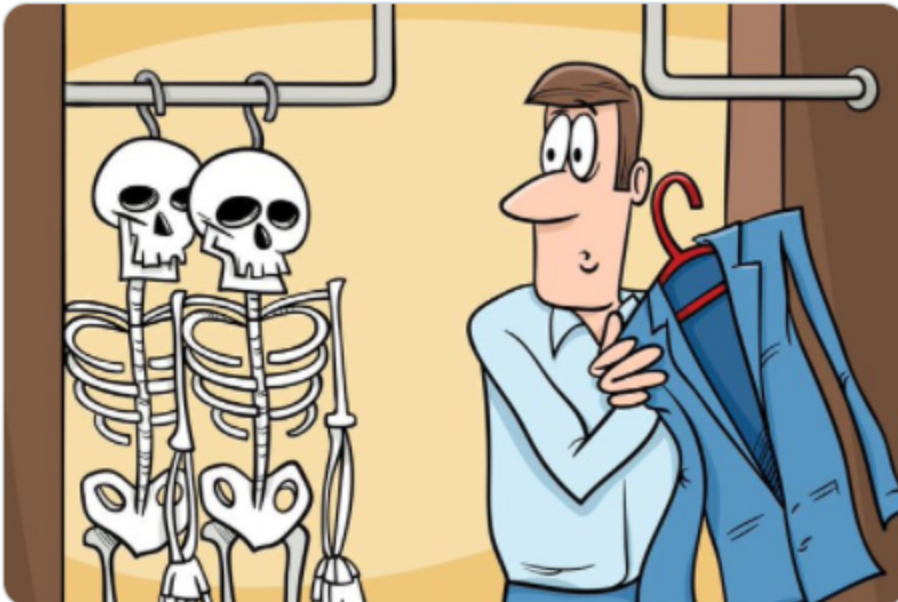
...

The hedge funds and short sellers connected to Anson Funds & Moez Kassam is alarming.

Many of the so-called short seller shills are shaking in their boots right now.

The list of people they work with is extensive.

I was once one of those people until I came to the light.



**unusual\_whales** @unusual\_whales · Dec 10, 2021

HOLY MOLY

DOJ probing hedge fund short selling.

12:56 PM · Dec 10, 2021 · Twitter for iPhone

10 Retweets 1 Quote Tweet 80 Likes





**Betting Bruiser**  
@BettingBruiser

...

Replying to @PouncerUM

Read all about it!

[archive.md/NYMOR](https://archive.md/NYMOR)

1:47 PM · Dec 10, 2021 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

Replying to @highflyer2021

Says I defamed them essentially. Libel, slander and Internet harassment.

2:33 PM · Dec 10, 2021 · Twitter for iPhone



**Betting Bruiser**  
@BettingBruiser

...

If you committed securities fraud and market manipulation by using other short sellers and investigative journalists to shield yourself from liability/criminal scrutiny.

All in the name of greed.

Should you be scared right now if you had a hand in it?

I would be.

#### WHAT ARE FEDERAL RACKETEERING (RICO) OFFENSES?

Federal Racketeering or RICO offenses present a pattern of criminal behavior spanning years and multiple persons.

” There are 35 specific crimes included in the RICO Act.

- Arson
- Robbery
- Bribery
- Dealing in obscene matter
- Dealing or trafficking a controlled substance or chemical
- Bribery
- Counterfeiting
- Theft
- Embezzlement
- Fraud
- Obstruction of justice
- Slavery
- Money laundering
- Commission of murder-for-hire

2:41 PM · Dec 10, 2021 · Twitter for iPhone

1 Retweet 25 Likes



**Betting Bruiser**  
@BettingBruiser



Replying to [@STOCKMASTERJAY](#)

**Market manipulation is ILLEGAL**

[Translate Tweet](#)

2:47 PM · Dec 10, 2021 · Twitter for iPhone



← Tweet



**Betting Bruiser**  
@BettingBruiser

...

Want an idea how predatory short sellers operate?

After attending so many of these so-called "IDEA'S DINNER" which is literally slang for conspiracy.

You can't go around introducing yourself as a predatory short seller.

No one will trust you.

So call yourself a FOODIE instead



**Chamath Palihapitiya** ✓ @chamath · Jan 28

4. Now you go around and tell your friends about both your longs and your shorts and when you do it at a restaurant vs on Reddit, its called an "ideas dinner".

5. You also publish your longs on a quarterly lag via an SEC rule. You don't have to tell anyone about your shorts.

[Show this thread](#)

3:44 PM · Dec 10, 2021 · Twitter for iPhone

This is Exhibit "I" referred to in the Affidavit of Sunny Puri sworn by Sunny Puri at the City of Toronto, in the Province of Ontario, before me on January 5th, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

**MAURA O'SULLIVAN**  
**LSO #77098R**

---

**From:** DiMatteo, Christopher  
**Sent:** October 6, 2021 2:38 PM  
**To:** admin@oilprice.com; james@floatingmix.com  
**Cc:** Barrack, Michael; Fischer, Iris; Sheppard, Gregory  
**Subject:** Anson Advisors Inc. et al. v. James Stafford et al. - Court File No. CV-20-00653410-00CL

Mr. Stafford:

Please find attached the Fresh as Amended Statement of Claim of Anson Advisors Inc., Anson Funds Management LP, Anson Investments Master Fund LP and Moez Kassam in connection with the above-noted matter, which is served upon you pursuant to the *Rules of Civil Procedure*, and which names you as a Defendant. Please confirm receipt and that you will accept service of the claim. Finally, please confirm your consent to the amendments to the claim, including your addition as a party.

Christopher DiMatteo  
Associate  
[christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com)  
Dir: 416-863-3342

ANSON ADVISORS INC. et al.  
Plaintiffs  
ROBERT LEE DOXTATOR  
Plaintiff by Counterclaim

-and- ROBERT LEE DOXTATOR et al.  
Defendants  
-and- ANSON ADVISORS INC. et al.  
Defendants to the Counterclaim

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT  
TORONTO

**AFFIDAVIT OF SUNNY PURI SWORN JANUARY 5, 2021**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto ON M5V 3J7

**Matthew Milne-Smith** (LSO# 44266P)  
Email: mmilne-smith@dwpv.com  
Tel: 416.863.5595

**Andrew Carlson** (LSO# 58850N)  
Email: acarlson@dwpv.com  
Tel: 416.367.7437

**Maura O'Sullivan** (LSO# 77098R)  
Email: mosullivan@dwpv.com  
Tel: 416.367.7481

Tel: 416.863.0900

Lawyers for the Plaintiffs (Defendants to the Counterclaim),  
Anson Advisors Inc., Anson Funds Management LP, Anson  
Investments Master Fund LP and Moez Kassam

**TAB 3**

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

B E T W E E N:

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

Plaintiffs

and

ROBERT LEE DOXTATOR, JACOB DOXTATOR, JOHN DOE 1, JOHN  
DOE 2, JOHN DOE 3, JOHN DOE 4 and PERSONS UNKNOWN

Defendants

A N D B E T W E E N:

ROBERT LEE DOXTATOR

Plaintiff by Counterclaim

and

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP, ANSON  
INVESTMENTS MASTER FUND LP, MOEZ KASSAM and ALLEN  
SPEKTOR

Defendants to the Counterclaim

**AFFIDAVIT OF STEPHEN SMITH  
(SWORN JANUARY 17, 2022)**

I, Stephen Smith, of the City of Toronto, in the Province of Ontario, MAKE OATH

AND SAY:

1. I am Director, Application and Development in the Information Technology Department at the Blake, Cassels & Graydon LLP law firm ("**Blakes**") in Toronto. In that capacity, I have access to the firm's electronic records. As such, I have knowledge of the

matters contained in this Affidavit. Where evidence in this Affidavit is based upon information and belief, I have stated the source of the information and believe it to be true.

### **Ethical Wall**

2. I am aware from my review of Blakes' electronic records and from my discussions with Michael Yuen, Senior Manager, Enterprise Applications, and Mathew Kuruvilla, Solution Delivery Specialist, that on July 30, 2021, an ethical wall memo, a copy of which is attached as **Exhibit A**, was circulated to the members of the firm acting for the plaintiffs in this action (collectively, "**Anson**") (the "**Anson Team**"). The ethical wall memo established an ethical wall between the Anson Team and those members of the firm acting for James Stafford (the "**Stafford Team**").

3. The initial version of the ethical wall memo referred to Mr. Stafford as "Peter" (rather than "James"). A revised ethical wall memo (with Mr. Stafford's correct first name) was later circulated to members of the Anson Team on October 29, 2021. A copy of the revised memo is attached as **Exhibit B**.

4. In the course of preparing this Affidavit, I reviewed Blakes' electronic records, including relating to its document management system, and had discussions with each of Michael Yuen and Mathew Kuruvilla, as noted above, and confirm the following:

- (a) On July 30, 2021, the firm established a two-sided exclusionary ethical wall using its ethical wall software (Intapp Walls) between the Anson Team and the Stafford Team, which at the time included the following timekeepers (lawyers and law clerks) and their respective assistants:

<b>Anson Team (as of July 30, 2021)</b>	<b>Stafford Team (as of July 30, 2021)</b>
Albini, Donna (admin) Barrack, Michael Brown, Roberta (admin) Care, Alissa (admin) Dimatteo, Christopher Fischer, Iris Hickey, Michael Maringola, Jennifer (admin) Peters, Linda (admin) Pulfer, Kaley Wong, Winnie (admin) Wu, Kevin (summer law student)	Boyle, Sean Green, Jenna Kelley, Liam Kung, Lisa (admin) Reonegro, Elena (admin)

- (b) At Blakes, an exclusionary ethical wall works by restricting specific individuals from accessing a file (at either the “client” level or “client/matter” level). In this case, a person’s inclusion on the Anson Team resulted in that same person being excluded from being able to access any files saved to Mr. Stafford’s client number (00191226). Similarly, a person’s inclusion on the Stafford Team resulted in that same person being excluded from being able to access any files saved to the client/matter number associated with this proceeding (00024605-000001). A firm timekeeper may be added to a particular team either manually by the General Counsel’s office, or automatically by the Intapp Walls system if the timekeeper docketed time to a particular file (this is effected by a “self-maintain” feature currently enabled for this ethical wall), provided that the timekeeper was not already on either the Anson Team or Stafford Team.



- (c) A two year “lookback” period was used to select firm members for inclusion on the two teams when the ethical wall was initially created. That is, anyone who had docketed time to either the affected client or client/matter in the previous two years was automatically added to the appropriate team by the Intapp Walls system. Assistants are (and were) also automatically paired with their respective timekeepers using a pairing function in the Intapp Walls system;
- (d) The firm’s exclusionary ethical wall mechanisms fully prevent selected timekeepers from accessing documents in the firm’s document management system (*i.e.*, where all electronic files are to be saved, pursuant to Blakes’ internal policies) for the walled file(s).
- (e) In this case, once the ethical wall was established on July 30, 2021, no member of the Anson Team could access any of the files saved to any of Mr. Stafford’s matters (since the restriction was applied at the client level), and no member of the Stafford Team could access any of the files saved to the matter associated with this proceeding;
- (f) After the ethical wall was established on July 30, 2021, some new members joined the Anson Team, and one member left (but later rejoined) the Anson Team. The ethical wall was amended as these additions and removals occurred, as follows:

Date	Timekeeper Added To or Removed From the Anson Team
August 12, 2021	Albini, Donna (admin) <i>removed</i>
September 28, 2021	Gupta, Aditi (articling student)
September 30, 2021	Albini, Donna (admin) <i>rejoined</i>
October 4, 2021	Sheppard, Gregory
October 8, 2021	Prestage, Ja (lawyer) James, Louise (lawyer) Li, Alysha (lawyer) Sevigny, Carolyn (admin) Godfrey, Marilyn (admin)
October 19, 2021	Manoharan, Kesayini (admin)
January 9, 2022	Manoharan, Kesayini (admin) <i>removed</i>
January 11, 2022	Lam, Jennifer (admin)

- (g) At Blakes, administrative staff are added and/or removed from Blakes' ethical walls according to their pairing with a lawyer. Ms. Albini, an assistant Blakes' Toronto office, was removed from the Anson Team in August 2021 when she was moved to work with timekeepers who were not on the Anson Team or the Stafford Team. Ms. Albini then rejoined the Anson Team in September 2021 when her work arrangements were readjusted. Similarly, Ms. Manoharan was removed in January 2022 when her work arrangements were readjusted;
- (h) All firm members who joined the Anson Team after July 30, 2021 were provided with the ethical wall memo (and later, the revised ethical wall memo); and

- (i) After the ethical wall was established on July 30, 2021, some new members joined the Stafford Team. The ethical wall was amended as these additions occurred, as follows:

Date	Timekeeper
October 8, 2021	Yuen, Alan (lawyer) Trotchine, D. (lawyer) McInally, Leanna (admin)
October 28, 2021	Riviglia, Anna (lawyer) Chan, Catherine (lawyer)

None of these individuals had ever been part of the Anson Team.

#### **No Access to Stafford Electronic Files by Anson Team Members**

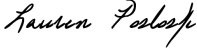
5. In preparing this Affidavit, I was asked to determine whether *any* member of the Anson Team had *ever* accessed any of the Stafford electronic files (*i.e.*, any of the files saved to Mr. Stafford's client number, on any matter) (the "**Stafford Client Files**"), either before or after the ethical wall was established on July 30, 2021.

6. I have investigated the document history data for the Stafford Client Files in Blakes' document management system, and cross-checked them against the members of the Anson Team. I have determined that no member of the Anson Team ever accessed any of the Stafford Client Files after the ethical wall was established on July 30, 2021.

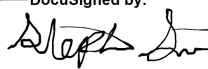
7. I have also determined that no member of the Anson Team accessed any of the Stafford Client Files in the period before the ethical wall was established on July 30, 2021, with two exceptions, as follows:

- (a) On June 25, 2021, an administrative assistant who was on the Anson Team (Winnie Wong) assisted an associate by accessing an internal civil litigation surcharge levy slip dated May 17, 2021. A copy of this document is attached as **Exhibit C**.
- (b) On July 23, 2021, an administrative assistant who was on the Anson Team (Alissa Care) composed a July 23, 2021 scheduling letter for an associate on the Stafford team, a copy of which is attached as **Exhibit D**.

**SWORN** remotely by Stephen Smith at the City of Toronto, in the Province of Ontario, before me on January 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:  
  
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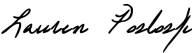
Commissioner for Taking Affidavits  
(or as may be)

DocuSigned by:  
  
985D767C36E74F3...

**STEPHEN SMITH**

**TAB A**

This is Exhibit “A” referred to in the Affidavit of Stephen Smith sworn by Stephen Smith at the City of Toronto, in the Province of Ontario, before me on January 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:  
  
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*Commissioner for Taking Affidavits (or as may be)*



Blake, Cassels & Graydon LLP  
Barristers & Solicitors  
Patent & Trade-mark Agents  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto ON M5L 1A9 Canada  
Tel: 416-863-2400 Fax: 416-863-2653

## MEMORANDUM

### PRIVATE AND CONFIDENTIAL

July 30, 2021

To: Team List

c: Brock Gibson  
Lauren Posloski

From: Amanda Kushnir  
General Counsel  
416-863-4291

RE: Anson Funds/Peter Stafford

---

You have been identified as the members of the firm who act for Anson Funds on a matter that may involve Peter Stafford ("Anson Funds Team").

The firm also acts for Peter Stafford on unrelated matters.

In order to ensure that there is no exchange of confidential information regarding the work you are doing for Anson Funds in connection with Peter Stafford, you should not discuss or otherwise disclose any aspect of the work you are doing on this matter to any member of the firm that acts for Peter Stafford.

We have taken steps to restrict access to all files for Peter Stafford in the firm's document management system such that those files will not be accessible to you.

Iris Fischer will be responsible to send an email to [screenupdates@blakes.com](mailto:screenupdates@blakes.com) advising if there are other members of the firm who should be added to the Anson Funds Team. Any persons added to the Anson Funds Team should be given a copy of this memorandum, and will be subject to the non-disclosure requirements referred to above.

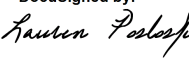
These procedures are considered to be extremely important and any contravention of them could result in sanctions, up to and including dismissal. If you have any questions regarding the above, please contact me.

13091071.1

**TAB B**



This is Exhibit “B” referred to in the Affidavit of Stephen Smith sworn by Stephen Smith at the City of Toronto, in the Province of Ontario, before me on January 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:  
  
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*Commissioner for Taking Affidavits (or as may be)*

## MEMORANDUM

### PRIVATE AND CONFIDENTIAL

July 30, 2021 – **Updated October 29, 2021**

To: Team List

c: Brock Gibson  
Lauren Posloski

From: Amanda Kushnir  
General Counsel  
416-863-4291

RE: Anson Funds/James Stafford

---

You have been identified as the members of the firm who act for Anson Funds on a matter that may involve James Stafford ("Anson Funds Team").

The firm also acts for James Stafford on unrelated matters.

In order to ensure that there is no exchange of confidential information regarding the work you are doing for Anson Funds in connection with James Stafford, you should not discuss or otherwise disclose any aspect of the work you are doing on this matter to any member of the firm that acts for James Stafford.

We have taken steps to restrict access to all files for James Stafford in the firm's document management system such that those files will not be accessible to you.

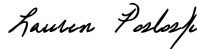
Iris Fischer will be responsible to send an email to [screenupdates@blakes.com](mailto:screenupdates@blakes.com) advising if there are other members of the firm who should be added to the Anson Funds Team. Any persons added to the Anson Funds Team should be given a copy of this memorandum, and will be subject to the non-disclosure requirements referred to above.

These procedures are considered to be extremely important and any contravention of them could result in sanctions, up to and including dismissal. If you have any questions regarding the above, please contact me.

**TAB C**

This is Exhibit “C” referred to in the Affidavit of Stephen Smith sworn by Stephen Smith at the City of Toronto, in the Province of Ontario, before me on January 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:



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*Commissioner for Taking Affidavits (or as may be)*

Electronically filed / Déposé par voie électronique : 03-Feb-2022  
Toronto Superior Court of Justice / Cour supérieure de justice

Court File No./N° du dossier du greffe: CV-20-00653410-00CL



**\$100 Civil Litigation Levy Surcharge – LPIC**

**LEVY SLIP**

To: Accounts Payable c: \_\_\_\_\_

Date: May 17, 2021

From: Liam Kelley

File Name: STAFFORD, JAMES - Khan Litigation

C/M No.: 00191226-000002

This transaction has resulted from the filing of the following documents:

<input checked="" type="checkbox"/> Statement of Claim	<input type="checkbox"/> Third Party Claim	<input type="checkbox"/> Cross-claim
<input type="checkbox"/> Statement of Defence	<input type="checkbox"/> Counterclaim	<input type="checkbox"/> Petition
<input type="checkbox"/> Notice of Intent to Defend	<input type="checkbox"/> App./Notice of App.	<input type="checkbox"/> Appeal

on which the \$100 civil litigation surcharge may apply.

Signed by: Liam Kelley

**Confirmation by Responsible Lawyer**

The \$100 levy referred to above is required to be paid (no exclusions apply) and should be billed to our client.

Date: \_\_\_\_\_ Name: Liam Kelley

Signature: \_\_\_\_\_

LSO Memb. #: 74035J

(to be completed by Accounting)

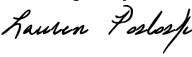
LAS ID initials: \_\_\_\_\_

Disbursement Code: **119** Amount: **\$100.00**

Disbursement Name: **Civil Litigation Levy Surcharge**

**TAB D**

This is Exhibit “D” referred to in the Affidavit of Stephen Smith sworn by Stephen Smith at the City of Toronto, in the Province of Ontario, before me on January 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:  
  
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---

*Commissioner for Taking Affidavits (or as may be)*



Blake, Cassels & Graydon LLP  
Barristers & Solicitors  
Patent & Trademark Agents  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto ON M5L 1A9 Canada  
Tel: 416-863-2400 Fax: 416-863-2653

**Liam Kelley**

Associate

Dir: 416-863-3272

liam.kelley@blakes.com

July 23, 2021

**VIA E-MAIL**

(jhardy@tgf.ca)

Reference: 191226/2

Thornton Grout Finnigan LLP  
100 Wellington Street West  
P. O. Box 329, Toronto-Dominion Centre  
Toronto, ON M5K 1K7

**Attention: James P. E. Hardy**

**RE: James Stafford v. Imran Khan and ISSR Holdings Inc.**

**Re: Court File No. CV-21-00662361-0000**

Dear Mr. Hardy:

We have your letter of July 16, 2021.

We are not available for a motion on your proposed dates. We are available any time in April 2022.

We look forward to receipt of your materials.

Best regards,

Liam Kelley

c. Sean K. Boyle (Blake, Cassels & Graydon LLP)

Scott McGrath (Thornton Grout Finnigan LLP)



ANSON ADVISORS INC. et al.  
Plaintiffs  
ROBERT LEE DOXTATOR  
Plaintiff by Counterclaim

-and- ROBERT LEE DOXTATOR et al.  
Defendants  
-and- ANSON ADVISORS INC. et al.  
Defendants to the Counterclaim

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT  
TORONTO

**AFFIDAVIT OF STEPHEN SMITH  
SWORN JANUARY 17, 2022**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto ON M5V 3J7

**Matthew Milne-Smith (LSO# 44266P)**  
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**Andrew Carlson (LSO# 58850N)**  
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**Maura O'Sullivan (LSO# 77098R)**  
Email: mosullivan@dwpv.com  
Tel: 416.367.7481

Tel: 416.863.0900

Lawyers for the Plaintiffs (Defendants to the Counterclaim),  
Anson Advisors Inc., Anson Funds Management LP, Anson  
Investments Master Fund LP and Moez Kassam

ANSON ADVISORS INC. et al.  
Plaintiffs  
ROBERT LEE DOXTATOR  
Plaintiff by Counterclaim

-and- ROBERT LEE DOXTATOR et al.  
Defendants  
-and- ANSON ADVISORS INC. et al.  
Defendants to the Counterclaim

Court File No. CV-20-00653410-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT TORONTO

**MOTION RECORD OF THE PLAINTIFFS  
(MOTION FOR LEAVE TO AMEND THE  
STATEMENT OF CLAIM)**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto ON M5V 3J7

**Matthew Milne-Smith** (LSO# 44266P)  
Email: mmilne-smith@dwpv.com  
Tel: 416.863.5595

**Andrew Carlson** (LSO# 58850N)  
Email: acarlson@dwpv.com  
Tel: 416.367.7437

**Maura O'Sullivan** (LSO# 77098R)  
Email: mosullivan@dwpv.com  
Tel: 416.367.7481

Lawyers for the Plaintiffs (Defendants to the Counterclaim),  
Anson Advisors Inc., Anson Funds Management LP, Anson  
Investments Master Fund LP and Moez Kassam