

33 Yonge Street Suite 201 Toronto, Ontario Canada M5E 1G4 T: 416-982-3800 F: 416-982-3801 Web: www.lexcanada.com

PETER M. JACOBSEN

Direct Dial: 416-982-3803 Email: pjacobsen@lexcanada.com

February 5, 2007

Mr. Titus Gregory 10169 Mary Drive Surrey, B.C. V3V 3B8

Dear Mr. Gregory:

Please be advised that we have been retained by the Canadian Federation of Students ("the CFS") to take whatever action is necessary to require you to immediately remove the false and defamatory statements on your blog at www.studentunion.ca.

In particular, as you know, the reference to the CFS supporting or "backing" slates in various students' union elections is both false and defamatory.

As you are aware, the *Eyeopener* newspaper at Ryerson University, upon which you continue to rely in your blog, has withdrawn its erroneous comment realizing that the CFS does not, and will not, endorse or "back" candidates or slates of candidates, in students' union elections.

You likely know that the person making a defamatory comment must be able to prove it is true, failing which he/she will be liable in damages. Since the comment is not true the *Eyeopener* knew it could not prove the allegation and has removed the erroneous and defamatory assertion.

The CFS respectfully demands that you do the same by immediately removing any and all references to the CFS supporting or "backing" candidates or slates of candidates in various students' union elections, from your blog www.studentunion.ca.

Since you have been advised of this on previous occasions and clearly are aware that the *Eyeopener* has withdrawn its erroneous comment, we can only assume that if you continue to refuse to take these defamatory comments off your blog, you do so with a malicious intent to damage the reputation of the CFS.

The CFS believes that criticism based on accurate facts is both useful and healthy. However, it will not stand idly by while inaccurate and defamatory statements are made about it particularly when it is known that what is said is not true.

Please reply <u>in writing</u> to the author of this letter to confirm that you are immediately removing any reference to, or assertion that, the CFS endorses or "backs" candidates or slates of candidates in students' union elections and that you undertake not to publish or disseminate in any way, these, or similar allegations in the future.

Also, please be advised that neither the author of this letter nor the CFS consents to the publication or public dissemination of this letter and reserves all their rights in that regard. We specifically require that this letter not be published or publicly disseminated. If you do publish or publicly disseminated this letter the CFS reserves the right to rely on such action as further evidence of your malice.

Finally, please be advised that the CFS reserves the right to refer to this letter in a court of law, if so advised.

We look forward to hearing from you.

Yours sincerely,

PETER M. JACOBSEN

PMJ/cc