



The Law Society of
Upper Canada

Barreau
du Haut-Canada

Osgoode Hall
130 Queen Street West, Toronto, Ontario
M5H 2N6

Private & Confidential

Lloyd Christopher Tapp
252 Angeline Street North
Lindsay, Ontario K9V 4R1



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The Law Society of
Upper Canada | Barreau
du Haut-Canada

March 8, 2012

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Lloyd Cristopher Tapp
252 Angeline Street North
Lindsay, Ontario K9V 4R1

Osgoode Hall
130 Queen Street West
Toronto, Ontario
M5H 2N6

Professional Regulation
Division
Intake Department

Dear Mr. Tapp:

Re: Subject: Marnie Susan Corbold
Complainant: Lloyd Cristopher Tapp
Case No.: 2012-105468

I have reviewed your correspondence, which was received by the Intake Department on March 7, 2012. Based on my review of the documents provided, I have concluded that, although regulatory issues may have been raised, given all of the circumstances in this matter, a request to investigate the conduct of Ms Corbold, pursuant to section 49.3 of the *Law Society Act* is not warranted at this time. Consequently, I have closed the file.

Summary of Complaint

As I understand your complaint, you are acting as a friend for Michael Jack in his application to the Human Rights Tribunal of Ontario (the "HRTO"). The respondent in that application is Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety and Correctional Services and operating as the Ontario Provincial Police (the "OPP"). Mr. Jack is a former employee of the OPP and has alleged in his application that he was the victim of discrimination and harassment during his employment.

Ms Corbold and Lynette D'Souza are both lawyers who are employed by the respondent provincial government ministry and have been acting for it, as the respondent in Mr. Jack's application.

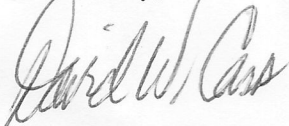
You have alleged that Ms Corbold "was deceitful in her response provided to the Tribunal and shared with the Complainant [to the HRTO, Mr. Jack]". You have further alleged that "the overall conduct of all counsel associated with the response that was prepared in the manner stated contravened the Rules of Professional Conduct (Exhibit 12) thereby undermining the integrity of the Law Society of Upper Canada and bringing its administration into disrepute" and "the overall conduct of all counsel associated with the response that was prepared in such a manner also questions the credibility of the Ontario Public Service Ethics and Conduct and

thereby, brings the administration of the Ontario Provincial Government into disrepute (Exhibit 13)".

Reasons for Closing

It is clear that your complaint arises directly from, and is closely connected to, a concurrent proceeding before the HRTO. Where the issues in a complaint are the same as or are related to ongoing external litigation, the Law Society considers whether it is in the public interest to investigate immediately, or to await the conclusion of the legal dispute. In this case, I am not able to identify a compelling public interest in proceeding to investigate immediately, and a conclusion to the legal dispute would likely help any investigation the Law Society may conduct. In addition, it is important that there are not parallel and simultaneous fact-finding exercises being conducted. If, after the legal issues are resolved, you continue to be of the view that you wish to make a complaint about the conduct of Ms Corbold, you may bring the complaint back to the Law Society for further consideration.

Yours truly,



David W. Cass

Intake Counsel

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Facsimile: (416) 947-3382

Email: dcass@lsuc.on.ca

cc: Marnie Susan Corbold



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Professional Regulation
Division
Intake Department

Dear Mr. Tapp:

Re: Subject: Lynette Elaine D'Souza
Complainant: Lloyd Cristopher Tapp
Case No.: 2012-105469

I have reviewed your correspondence, which was received by the Intake Department on March 7, 2012. Based on my review of the documents provided, I have concluded that, although regulatory issues may have been raised, given all of the circumstances in this matter, a request to investigate the conduct of Ms D'Souza, pursuant to section 49.3 of the *Law Society Act* is not warranted at this time. Consequently, I have closed the file.

Summary of Complaint

As I understand your complaint, you are acting as a friend for Michael Jack in his application to the Human Rights Tribunal of Ontario (the "HRTO"). The respondent in that application is Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety and Correctional Services and operating as the Ontario Provincial Police (the "OPP"). Mr. Jack is a former employee of the OPP and has alleged in his application that he was the victim of discrimination and harassment during his employment.

Ms D'Souza and Marnie Corbold are both lawyers who are employed by the respondent provincial government ministry and have been acting for it, as the respondent in Mr. Jack's application.

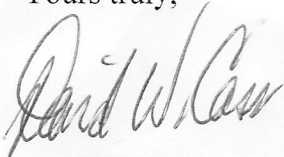
You have alleged that Ms D'Souza "in taking over representation of the Respondent from Counsel, Marnie Corbold on or about the 22 day of December, 2011, (Exhibit 11) is deemed familiar with the application, the seven volumes of information and the response". You have further alleged that "the overall conduct of all counsel associated with the response that was prepared in the manner stated contravened the Rules of Professional Conduct (Exhibit 12) thereby undermining the integrity of the Law Society of Upper Canada and bringing its administration into disrepute" and "the overall conduct of all counsel associated with the response that was prepared in such a manner also questions the credibility of the Ontario Public

Service Ethics and Conduct and thereby, brings the administration of the Ontario Provincial Government into disrepute (Exhibit 13)".

Reasons for Closing

It is clear that your complaint arises directly from, and is closely connected to, a concurrent proceeding before the HRTO. Where the issues in a complaint are the same as or are related to ongoing external litigation, the Law Society considers whether it is in the public interest to investigate immediately, or to await the conclusion of the legal dispute. In this case, I am not able to identify a compelling public interest in proceeding to investigate immediately, and a conclusion to the legal dispute would likely help any investigation the Law Society may conduct. In addition, it is important that there are not parallel and simultaneous fact-finding exercises being conducted. If, after the legal issues are resolved, you continue to be of the view that you wish to make a complaint about the conduct of Ms D'Souza, you may bring the complaint back to the Law Society for further consideration.

Yours truly,



David W. Cass
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cc: Lynette Elaine D'Souza