

2013 CarswellOnt 11941,

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M. (R.) v. Toronto Police Services Board

R.M., Applicant and Toronto Police Services Board, William Blair, Brian Kellar, Christopher Groff and Peter Eckersall, Respondents

Ontario Human Rights Tribunal

Brian Eyolfson V-Chair

Judgment: August 28, 2013

Docket: 2010-06581-I

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Counsel: Counsel — not provided

Subject: Constitutional; Employment

Human rights

Cases considered by *Brian Eyolfson V-Chair*:

Sable Offshore Energy Inc. v. Ameron International Corp. [\(2013\), 37 C.P.C. \(7th\) 225, 22 C.L.R. \(4th\) 1, 2013 SCC 37, 2013 CarswellNS 428, 2013 CarswellNS 429, 359 D.L.R. \(4th\) 381 \(S.C.C.\)](#) — considered

***Brian Eyolfson V-Chair*:**

1 This matter is scheduled to be heard on September 16, 17 and 18, 2013.

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2 The Tribunal is in receipt of a Request for an Order During Proceedings ("RFOP") from the respondents, Police Chief William Blair, and Police Constables Peter Eckersall, Christopher Groff and Brian Kellar (the "Respondent Officers"), dated February 1, 2013. The RFOP seeks disclosure of the full details of a settlement agreement entered into between the applicant and Michael Thomson. The Tribunal is also in receipt of a Response to the RFOP from the applicant dated February 1, 2013.

3 In addition, by correspondence dated June 24, 2013, the applicant drew the Tribunal's attention to the decision of the Supreme Court of Canada in *Sable Offshore Energy Inc. v. Ameron International Corp.*, [2013 SCC 37](#) (S.C.C.). The Tribunal has received further submissions on the RFOP, in light of the Supreme Court's decision in *Sable Offshore Energy*, from the respondent Officers and the applicant, dated July 15 and 16, 2013, respectively. The Tribunal is also in receipt of correspondence from the respondent, Toronto Police Services Board, dated July 15, 2013, adopting the respondent Officers' submissions of the same date.

4 In the circumstances, the respondent Officers' RFOP can be addressed at the outset of the hearing in this matter.

5 The applicant is directed to bring copies of the settlement agreement between the applicant and Mr. Thomson to the hearing.

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