

In the County of Yarmouth, Nova Scotia, Canada

**Affidavit of Charles L. Leary Sworn on July 25, 2012**

BEFORE ME, personally came and appeared Charles L. Leary, a person of the full age of majority and domiciled in Kemptville, Yarmouth County, Nova Scotia, who, after being duly sworn, did depose and say:

1. I am a Managing Director, chef, and proprietor of Trout Point Lodge, Limited. I have personal knowledge of the Lodge's business.
2. I have a doctorate in history from Cornell University and was formerly an Adjunct Assistant Professor of History at Tulane's University College. I have operated Trout Point Lodge since 1998.
3. On or around April 17, 2011, the Go Daddy web hosting company shut down service to the Slabbed blog in response to a copyright take-down notice from Advance Publications, the parent of the New Orleans *Times-Picayune*. The copyrighted article mentioned in the take-down notice was a retracted article that misidentified Trout Point Lodge as belonging to Aaron Broussard. This is according to publications I have read on Slabbed and my knowledge of the newspaper articles and retraction.

4. On April 18, 2011, Doug Handshoe published a comment on Slabbed:

The article was retracted by the Picayune which is why this is a sore spot for them. I think the use of it in Telemachus' comment is covered under The Fair Use exception. I was warned about that company out west. I'll tackle that when the time is right.

In any event we'll see how long it takes to untangle the mess.

sop

5. On April 18, 2011, Doug Handshoe published another comment on Slabbed:

According to Godaddy their hands are tied. I don't quite believe that but if we assume they are indeed tied then this is actually a very effective tactic at shutting down independent media sources. Godaddy pulled the plug with no warning and left me charged with trying to figure out why.

Left with little choice I agreed to delete the content on Slabbed.org so I can get control of my blog back. I will not be deleting the content here and in fact we're going to examine not only the retracted story in detail but the players involved including Danny Abel, Charles Leary, Vaughn Peret and their Trout Point Lodge.

The Times Picayune rolled over and played dead on this. We're not.

sop

6. On the same post, Handshoe continued with the following comment, also on April 18, 2011:  
OK, the new site has been unlocked. I exported the April posts and re-imported them here. Godaddy is limp wristed and this fact was exploited today by the Picayune. Until I can find a host that works with its clients proactively I'll be based here on WordPress. Sorry for the confusion but if the T-P wants a war I gotta be able to fight it without worrying if my web host will pull the rug out from under me.  
  
sop
7. On April 22, 2012, Handshoe published on Slabbed a post entitled "Coming soon on Slabbed: We examine the Times Picayune Trout Point retractions in detail."
8. In that post he wrote: "It's never "the crime" but the coverup that often lands people in hot water. The powers that be hung reporter Rich Rainey out to dry on his reports on Trout Point Lodge. Were those reports libelous and did they defame Charles Leary and the merry group of guys he hangs with? Or is the saber-rattling out of Team Trout Point an attempt to cover some dirty secret? Slabbed will open the closet door and allow the sun to shine in. Stay tuned."
9. On April 26, 2012, Handshoe published on Slabbed a post referred to in paragraph 14 of my previous affidavit, and particularly the words: "I think by now even our most casual readers know our successor website, slabbed.org was knocked offline courtesy of the Times Picayune's corporate parent Advance Publications and this started a chain of events that resulted in Slabbed temporarily being moved back to WordPress. I'd submit this was a miscalculation of gargantuan proportions for several reasons, which will become clear as I roll out this series of posts on Aaron Broussard's connections to Trout Point Lodge and its purported owners, Charles Leary, Danny Abel and Vaughn Perret."
10. After this point in time, the number of Slabbed posts referring to Trout Point Lodge, Vaughn Perret, and I increased in frequency and length.
11. On January 12, 2010, Handshoe published a post on Slabbed entitled "About Aaron Broussard's purported ownership of Trout Point Lodge."
12. In that 2010 post, Handshoe refers to and links to information on the Nova Scotia-based web site of the Billy's Hill Trail Society, of which I was a founding member. The web page provided information on a trail development project in a Nova Scotia wilderness area. It was at that time hosted by KwikLink Internet Services of Yarmouth, Nova Scotia. He wrote:  
Yet according to the original story linked above a gentleman named Charles Leary told Times Picayune reporter Richard Rainey:

.....Broussard, "does not and has never had any ownership or management involvement with Trout Point Lodge, Limited." The message went on to say Broussard owns a "vacation home on the same road."

That may be but Mr Broussard is quite the active part time resident if that is the case. It is also clear that Mssrs. Broussard and Leary are acquainted. Being a curious soul I noted Mr Leary had an email addy listed on that Billy Hills Trail Society page. Wondering what foodvacation.com was all about I ran the domain through Sam Spade and surprisingly ended up in Costa Rica. I'm told Raphael is the kind of guy who looks before he leaps. Broussard may not own Trout Point but then again I'm not used to seeing such an international twist to owning a simple vacation house. Stay tuned.

13. I am familiar with the Nova Scotia Registry of Joint Stocks. I have registered at least 2 Nova Scotia businesses with the Registry, and I make annual filings with the Registry for Trout Point Lodge. It is operated the government of the Province of Nova Scotia.

14. In 2011, on the landing page for the Registry's online database, there was the following statement:

This database is available for inquiries and review of the public record maintained by the Registry of Joint Stock Companies. Service Nova Scotia and Municipal Relations owns it and is responsible for its storage and maintenance.

15. On August 24, 2011: Handshoe published the following in a post entitled "The problem with lying is keeping all of them straight. A Jefferson Parish Political Corruption / Trout Point Lodge Scandal Update Part 3":

So it appears in 2006 Abel claims Leary and Perret as his business partners but it is equally clear in the business records his partners do not claim him as such. I have this bit of research courtesy of several readers but one of our new friends in Nova Scotia sums it up for us:

I went back to Registry of Joint Stocks Nova Scotia.....I found this: La Ferme D'Acadie (a limited company), was registered two days later, June 25, 1998, again showing all 3 (Abel, Leary and Perret) as partners, but this time Abel's address is Mt Hermon Lousiana. This fits in with the piece written on the Lodge in 2001....

Five months later they come back to register Trout Point Lodge, again all 3, same address given, 107 Chebogue Point Rd, Yarmouth. Registered Dec 14, 1998.

Then they realize they made a mistake, they failed to register as the all important "limited" corporation that protects their assets, so they fixed that right away, dissolving this and registered Trout Point Lodge Ltd Dec 14, 1998, and this time they took off Abel's name, and just have Leary and

Perret as partners, their address being 189 Trout Point Rd, East Kemptville. Now note that their address likely changed to Trout Point Road after 1998, likely in 2000 when the Lodge was built.

indeed per the business records in Nova Scotia Abel was out, or was he. In 2001 the girls got mucho free publicity from the Times Picayune and indeed Rich Rainey mentioned the piece in his now retracted reporting on the subject.

16. I have read several posts mentioning Vaughn Perret, Trout Point Lodge, and me written by Handshoe between April and August, 2011 in which he quotes from judicial decisions published at and also links to the web site of the Courts of Nova Scotia, at <http://www.courts.ns.ca/>.
17. On September 9, 2011—four days before he was served with the Amended Notice of Action—Handshoe published the following on Slabbed:

I have been talking to former employees whom I've granted anonymity so as to spare them the hassle of defending a frivolous SLAPP suit in Canada:

In answer to the question as to who handled the money for Aaron's property?  
Definitely Trout Point.

This makes sense and confirms a long-held suspicion that the girls were the fiscal agents for all the cabins owned by Louisianans close to the Lodge including Aaron Broussard. That said the Lodge's financial records would certainly contain evidence to either support the pay-to-Trout Point to play in Jefferson Parish allegations that are at the heart of this story. My chatty new friend didn't stop there though. You see the girls have left a trail of financial wreckage in Canada reportedly screwing over trade venders and others building the Lodge and that harebrained exotic cheese farm La Ferme D'Acadie where they shafted the Atlantic Canada Opportunities Agency.

So now that I'm sourced on the exact nature of the business relationship between the owners of Trout Point including Aaron's former council aid Danny Abel we next must explore exactly who owns Trout Point as all the cabins and the lodge are not under one umbrella. Luckily for us I made several friends in Canada and one of them was kind enough to run the entire area through a local database.

18. On September 15, 2011, Doug Handshoe published the following comment on the Nova Scotia-based blog Shelburne County Today:

I would like to note that Slabbed to date has had no contact with the Nova Scotia courts in connection with the suit Trout Point has filed against us nor in the case involving Fox 8 News. Additionally upon knowledge and belief I would adver that Leary, Perret and Trout Point's assertion about any sort of prejudgment of my investigative work by the Nova Scotia courts is misleading and defamatory.

I have no quarrel with the Shelburne County Today but I feel that the record needs to be corrected with an official response from Slabbed New Media. Thank you,

Doug Handshoe aka Sop at Slabbed

19. On or around September 24, 2011, Handshoe published the following on the Canada section of web site reddit.com on a topic relevant to an article published in the Halifax, Nova Scotia Chronicle-Herald newspaper. This text was submitted in evidence on January 30, 2012:

[sop81 1] -3 points 3 months ago

Spankr thank you for linking my post. There is so much more to this story on the Lodge. The owners have sued my blog and several other media outlets in New Orleans for factually reporting the connection of the Lodge and its owners to the largest corruption scandal to hit the metro area in literally a generation.

I am shielded from defamation judgments from Canada via the US SPEECH law so I will not back down in my reporting on the Lodge. Leary and his partners have also threatened other Canadian bloggers that picked up my reporting with SLAPP suits and unfortunately since they lack the free speech protections I enjoy under US law has successfully shut them up.

Here are 2 links to my blog Slabbed which explain the connection of the lodge to what we call the Jefferson Parish Political Corruption Scandal.

<http://slabbed.wordpress.com/2011/09/08/slabbed-solves-the-mystery-on-the-shores-of-the-tusket-river-in-nova-scotia-as-we-reveal-the-trout-point-connection-to-the-jefferson-parish-political-corruption-scandal/>

<http://slabbed.wordpress.com/2011/09/22/lets-talk-a-bit-more-about-the-billys-hill-trail-society-trout-point-lodge-charles-leary-and-aaron-broussard/>

Thanks to all that clicked over to Slabbed to find out the rest of the story.

Doug Handshoe aka Sop @ Slabbed Slabbed New Media LLC

[mxpower] 5 points 3 months ago

Wow, here is a nice article... this place sucks. <http://www.ripoffreport.com/bed-breakfast/trout-point-lodge/trout-point-lodge-trout-point-7103e.htm>

High end resort in NS requires you sign a wajver stating you will not review it online!  
by spankrin canada

[sop81 1] -37 points 3 months ago

Oh Matrix, if you only knew them like we do down South. Didn't you know that Leary told a court in Nova Scotia everyone there was a bigot and he wasn't winning in court because he was gay?

In the case of Leary and Perret the word Girls fits to a T. I knew going in I'd take a hit or two for using it but it is what it is. Appreciate the friendly advice nonetheless.

Some of those names of the property owners at Trout Point have well documented connections to organized crime here in the US. From my standpoint fleshing all this out only gets better from here.

[-]sop81 1 -27 points 3 months ago\*

Prove them right??? That Nova Scotians are bigots? Heck anyone with a brain knows that is not the case anymore than the generalization that Southerners are all bigots.

I'm very happy to let the reader judge my work based on the quality of the information I present. I'm not into style points Matrix. I'll leave that kind of writing for the journalists that write entire stories that say nothing but are completely PC.

20. On May 6, 2011, a process server named Chris Yount served a Notice of Intended Action directed to Doug Handshoe on Doug Handshoe's wife at his residence in Bay St. Louis, Mississippi. At that time, Handshoe had already published blog posts falsely accusing me of perjury before a Nova Scotia Supreme Court judge, of being a "bagman" for Aaron Broussard, of misusing the Nova Scotia courts to strong arm media, and of scamming investors.
21. On May 6, 2011, Handshoe published on Slabbed a post entitled "And she said Yeah and I said Oh Yeah." He then did not publish again until May 9, 2011.
22. On June 21, 2011, Handshoe published on Slabbed a post entitled "Trout Point here we come...." He published a comment on this post from "lockemuptight": "Yipee ky yea , MFs !!!!! Summary judgment and then counter suit for legal fees. Lite the fuse Sop and blow them flaming out of the air."
23. On July 11, 2011, Handshoe published a post with a photograph of a rifle labelled as a "Gammo Varmint Stalker." The post was tagged with "Cerro Coyote" and "Inn at Coyote Mountain." The text read: "Just messin' around folks but the area's Coyote infestation makes for a fun and easy topio. . . . Until we learn more I'm sticking with my Gammo."
24. My former Costa Rica small hotel business was the Inn at Coyote Mountain. It's corporate name is Cerro Coyote, S.A.
25. On August 3, 2011, Handshoe published the post "I've just been informed . . ." The text stated:

That the newest chapter of the Slabbed Nation has been formed in Nova Scotia and those good folks are wanting to see a conclusion of some kind to our earlier posts on Trout Point Lodge and its connections to the Jefferson Parish Political Corruption Scandal. How can I deny our newest fans such a request? Simple I can't.
26. The above post had the tags: Aaron Broussard, Atlantic Canada Opportunities Agency, Charles Leary, Danny Abel, Jefferson Parish Political Corruption Scandal, La Ferme D'Acadie & Charles Leary v. The Atlantic Canada Opportunities, Trout Point Lodge, Vaughn Perret
27. I have personal knowledge that on August 14, 2011, process server Chris Yount served on Mrs. Handshoe at their Bay St. Louis home a Notice of Action and Statement of Claim.
28. On August 14, 2011, after the Notice was served Handshoe published a post: "One thing life

- as taught me.....” “Is that you simply can’t stop someone from being stupid and acting upon same. Slabbed Nation lifers will recognize the video embed below and understand that next week will be eventful as I slice and dice Slabbed style so as to increase the pain. Salut! ~ sop” Embedded in that post was a trailer for the movie “Blowback,” which was a movie about violent revenge.
29. On August 15, 2011, Handshoe published a post entitled “Actually Matt, you had this one called right to begin with. Slabbed travels back in time with the girls and ties a few things together. A Trout Point Lodge / Jefferson Parish Political Corruption Scandal Update Part 1.”
  30. On August 16, 2011, Handshoe published a post entitled “Tuesday Music: “Cry Havoc! and let slip the dogs of war...”
  31. On August 17, 2011 Handshoe published a post entitled: “Laissez les bons temps rouler! Slabbed travels back in time with the girls and ties a few things together. A Trout Point Lodge / Jefferson Parish Political Corruption Scandal Update Part 2.” In that post, he refers to Vaughn Perret and I as “the girls.”
  32. In that post, he stated: “Now folks this is tremendous stuff. Matt clearly has great sympathy for the plight of the City as did the nation and his attempt to make up for his earlier, factually correct “hit piece” reveals more about the girls that this blogger could have ever hoped to find in one place and we see evidence of how the girls work as a unit to grift their way through life . . .” He also published: “Coming up in Part 3 Slabbed explores the lawsuit Aaron Broussard has filed against Outgunned author Peter Brown as I continue to meticulously lay down the trail of scams and political corruption that leads to Nova Scotia and Trout Point Lodge.”
  33. On August 18, 2011, Handshoe published a post entitled “First class bitches, common thugs or plain ol’ morons: The Girls at Trout Point Lodge sue Fox 8 and Slabbed. A Trout Point Lodge /Jefferson Parish Political Corruption Scandal Update”
  34. In that post he published a scanned copy of the Notice of Action and Statement of Claim from the Supreme Court of Nova Scotia. He published: “the paperwork arrived at my doorstep in what Mrs Sop describes as a “knock and run”.” ( service no good for NS)
  35. I have read an affidavit of service which states that on September 13, 2011, Handshoe received personal service of the Amended Notice of Action and Amended Statement of Claim in Wiggins, Mississippi.
  36. On the same day, after being personally served, Handshoe published a post entitled: “Oh yeah

and by the way Charles and Vaughn. Fuck you, fuck you very much..."

37. In that post, he published: "I'm happy to report the dumbasses even finally managed to find the registered offices of Slabbed."

38. In a comment on the same post, responding to "Nouvelle Ecosse," Handshoe published: "I have nothing to lose by filing an answer to the girl's complaint including pointing out in detail where the girls mislead the Nova Scotia Courts and other truths which obviously hurt and if I am homecooked I still have nothing to lose. And for good measure I can get a judgement down here against them under SPEECH too for my trouble. Great minds think alike as this appears to be a heads I win tails you lose proposition huh."

39. On January 13, 2012, Handshoe received notice of the damages assessment hearing before Justice Hood on January 30, 2012 at the court house in Yarmouth, Nova Scotia.

40. On January 15, 2012, Handshoe published a post entitled: "Sop gets a cyber first: Behavioral finance/economics intersects with Slabbed. An Aaron Broussard/Trout Point Lodge Update."

41. In that post, Handshoe published:

My reply referenced the fact the writer had previously inquired as to the identity of my sources, whom I'll again state I have promised anonymity due to the hostile reaction of Aaron and the girls to any line of inquiry into the current State Ethics Board investigation into a pay to play scheme involving the development at Trout Point, large parts of which were owned by Aaron Broussard and certain politically connected parish contractors.

That hostile reaction generally involves Broussard business associates Charles Leary, Vaughn Perret and Danny Abel filing defamation lawsuits against any line of inquiry in a judicial hell hole of the variety that compelled the US Congress to unanimously pass the SPEECH Act. These suits are known as SLAPP suits and they do intimidate folks. They do not intimidate me though I'll add that while many of our judges may be corrupt at least they are not nutless pinheads like their Canadian counterparts, who essentially sell out to scammers to squelch legitimate lines of journalistic inquiry via a system designed to encourage the filing of SLAPP suits where Barristers aka lawyers make big money. To date they sued and intimidated the Times Picayune into silence, caused Channel 4 to pull a factually correct report on the State Ethics Investigation from their website and are currently suing Fox 8 in Nova Scotia along with yours truly.

42. In April, 2011, I spoke with an attorney for the Louisiana Ethics Board named Alesia Ardoin. She confirmed that the Ethics Board had never pursued allegations that Aaron Broussard rented his Nova Scotia properties to government contractors and that the one year statute of limitations for bringing any such charges had expired. I then consulted the publicly-available Ethics Board charges against Aaron Broussard and they contained nothing pertaining to Nova Scotia or Canada. I presented a copy of the Ethics Board charges in court on January 30, 2012 and



compared them with Mr. Handshoe's recent published assertions that there was a current Ethics Board investigation into a pay to play scheme involving the development at Trout Point."

43. He also published in the same post:

You see while Leary and company were bamboozling the Picayune into retracting factually correct reporting (to this day the reporter has since been assigned to the Wet Kiss beat) I noticed that his relationship with Aaron Broussard per his own moderated webpages conflicted with the statements he was giving the T-P, which I'll note had previously written 2 glowing articles about Trout Point. But there is more to that and not just from my standpoint as an investigative blogger covering corruption in metro NOLA. You see following the cyber trail lead me to intersection of the Billy Hills Trails and the Nova Scotia South West Shore Development Authority, a quasi governmental economic development agency that currently has a problem with huge sums of money being missing. And of course the SWSDA leads us back to the Atlantic Canada Opportunities Agency, whose dealings with Leary, Abel and Perret we have covered in several posts. For that bit of early background our readers can click here, here and here. This post is a great place to learn about the related lawsuit between Leary and the ACOA. Those are not the only connections between Trout Point Lodge and the SWSDA as I'll explore in a future post.

At this point I'll disclose Leary and Perret evidently went postal when I disclosed that counter letters do not evidence ownership in Nova Scotia. This would not be the first time I have broken bad financial news on the internet and I hate to say this but I laughed hysterically at the latest nasty grams sent me by the girls and yes when I publish their affidavits everyone will understand why using the term "girls" to describe Leary and Perret is dead on accurate.

Stay tuned.

44 After that, Handshoe published about Trout Point Lodge, Vaughn Perret, and I on a daily basis throughout the rest of the month.

45 On March 26, 2012, Handshoe published a post entitled ""The Almighty says this must be a fashionable fight. It's drawn the finest people." Well maybe they're not all 'fine' as Slabbed updates its SPEECH Act case against the Goatherders at Trout Point Lodge."

46 In that post, Handshoe published:

Folks there has been a lot of water under the bridge since I filed for Declaratory relief under the SPEECH Act against the specious libel judgment the managers of Trout Point Lodge obtained against me in the SLAPP happy libel tourism haven of Nova Scotia. To catch everyone up when I filed my suit against Leary and Perret I sent them Rule 4d waivers, which they subsequently returned to me unexecuted. Early this month and despite the existing lawsuit, they filed to enforce their judgment in Hancock County Circuit Court using Henry Laird of Jones Walker's Gulfport office to file the motion. Today Mr Gerald Cruthird filed motions in United States District Court to remove the Circuit Court action to the United States District Court in what is a prelude to it being consolidated into the original case. Gerald has been my accounting firm's counsel for

almost 20 years as well as my personal attorney and I'm happy to announce his addition to the Mississippi contingent of the Slabbed legal team along with Tom Vaughn, who I introduced earlier today.

Alas Slabbed covers both Mississippi and Louisiana so what we needed was a guy who knows the lay of the land in Jefferson Parish that also has some defamation experience.

That guy is Bobby Truitt, the man who slayed Judge Green of Wrinkled Robe infamy when Green put in the fix against Truitt in a 24th JDC case back in the day.

Bobby is highly respected by his peers and I think he is just the guy for the job of not only getting that specious Nova Scotia court judgment taken care of but also seeing to it that all of Charles Leary and Vaughn Perret's misdeeds are fully exposed and publicly aired. I'll add it is possible that other lawyers will enroll in this case as I've had several offers of free legal help but for now the team is set and the fray is fully engaged.

With that said now is a great time to talk a bit more about that Fox 8 settlement with Trout Point Lodge, Leary and Perret which we broke here, here (where Slabbed examined the Trout Point Lodge blog material on the subject) and here. I'll add that at that point in time the parties to the litigation in Nova Scotia were acting coy as to the deal they cut, but calling it wasn't much of a leap based on Fox 8's correction and the removal of Leary's screed on their litigation from the Trout Point Lodge blog. I mention this because last Friday the settlement was officially announced by Trout Point Lodge on their blog in a post that has since been removed. Certain my eyes were not playing tricks on me I went to the google cache and sure enough thar she blows: Trout Point Lodge settles legal dispute with Louisiana Media Company/WVUE Fox 8.

47. Handshoe concluded that post with the following:

Finally it is time that I again ask that those that value the type of independent journalism we bring to the table to please support Slabbed. I was humbled by the amount of financial support Slabbed New Media received in early February and that money brought home a treasure trove of documents from the Fox 8 case, paid initial court costs as well as funding some investigative work we had done in Canada. While Slabbed is on the economy legal plan, the removal today cost another \$350 in filing fees so even the economy plan cost money. Yes, I have the resources to fight this battle but this is a community blog so I hope the community supports this endeavor, in the process helping protect everyone's first amendment rights to comment on current events free from harassment by those with a stake in the outcome of those events. I'll add it is Leary and Perret's stated intention to litigate Slabbed into bankruptcy, something they'll never be able to come close to doing if Slabbed has community financial support. Make no mistake folks, this legal fight will determine whether Slabbed exists go forward so if you value what we bring to the table please show it.

For those that have given to the cause so generously you have my sincere thanks and appreciation. It is my hope what you see on these pages is good enough to merit your continued support. ~ sop

48. In a post published April 2, 2012 entitled "Gone but not forgotten: Trout Point figure fingered for expensive vacations on public's dime," Handshoe wrote: "Along those lines Slabbed has

ascertained from the court records in Leary and Perret's defamation case against Fox 8 in Nova Scotia that the Cox Warehouse was the subject of a certain affidavit sworn by the plaintiffs that s of the fanciful variety of the type we've previously highlighted on Slabbed. Let's circle that tidbit for now."

49. On July 11, 2012, my attorney Henry Laird filed the plaintiffs rebuttal to Handshoe's response to the plaintiffs motion for summary judgment. On that same day, Handshoe published a post with the sole tag "eat me." When I clicked on the "eat me" tag it led to a Slabbed page with a large number of posts about Trout Point Lodge, Vaughn Perret, and myself published between September, 2011 and January, 2012.

50. One of the posts tagged "eat me" was "Yesterday was a perfect world. Time to chat about this little project." dated December 9, 2011. In that post Handshoe published:

The folks at Automattic, Inc have been good to us as well, even learning to tune out Charles Leary of Trout Point infamy as a cub copywrite troll. The stories I plan to tell on Slabbed's behind the scenes adventures with Charlie, a most public figure that injected himself into the Aaron Broussard ethics investigation reporting literally leaves me giddy with anticipation. ☺

Along those lines I am pleased to report that since I turned the girls on to the concept of the US SPEECH act they have lost their ardor to SLAPP Slabbed, even after I ran them on a 2 month service of process fools errand that cost them at least \$1K in Canadian court costs. Curiously the local Canadian press, which had me "bleating" about my first amendment rights as an American Citizen like I was a lamb headed for th chop shop have also lost their interest since the Canadian defamation scam is at an end thanks to SPEECH. The topic of the Canadian court system as a judicial hell hole for defamation, libel and slander is ripe for publicity and I plan on providing it. My personal experience with the people in Nova Scotia has been universally positive except for the American grifter/interlopers that exploit the Canadian judicial system to their personal benefit.

51. On or around July 11, 2012, Handshoe republished posts about Vaughn Perret, Trout Point Lodge and me that he had previously published on Slabbed as "stickies," meaning that they now appeared at the top of the blog's index page.

52. One such post was entitled "I understand the FBI has been visiting Nan and the gang over at West Jefferson Medical center again...."

53. In that post, he published:

I personally enjoy visiting with the good folks at the FBI but something tells me poor Nan and Baby Butler do not share that warm fuzzy feeling with the latest FBI site visits just last week. Remember folks Gambitmansaid Tim Coulon was squealing so we may well see the insurance portion of the scandal break wide open with this tentacle of the investigation.

Exhibit "A"

Letter By Fax

10 Church Street  
PO Box 1088  
Truro NS B2N 5B9

Tel 902.897.2666  
Fax 902.893.3071  
Toll Free 1.888.699.7746  
www.pattersonpalmer.ca



May 9, 2002

Peter M. Rogers  
pmrogers@pattersonpalmer.ca  
902.896.6161

Martin J. Pink, Q.C.  
Pink Nickerson Star  
P.O. Box 580  
390 Main Street  
Yarmouth, NS B5A 4B4

20 12 No. \_\_\_\_\_  
This is Exhibit "A" referred to  
in the affidavit of Charles Leary  
(sworn/affirmed) before me  
on July 25<sup>th</sup> 20 12

SYNDALL-BULLERWELL  
Judge of the Supreme Court of Nova Scotia  
Signature

Dear Mr. Pink:

**La Ferme d'Acadie**  
**Our File No. 243564020589**

Although Rural Delivery's article did not assert that Ferme d'Acadie devastated the dairy goat industry, nor that Ferme d'Acadie improperly transferred ACOA funds between projects, in the interest of putting this matter to rest, Rural Delivery is prepared to publish a correction and apology, under the heading "Ferme d'Acadie, Correction and Apology" at the top of an interior page of the magazine, consistent with the location of the original story, and in similar size type. The text Rural Delivery proposes is:

"Rural Delivery did not mean to give the impression in its article in Volume 26 #3 that Ferme d'Acadie improperly transferred ACOA money from a dairy goat creamery project to the Trout Point Lodge tourism project, or that it otherwise engaged in misconduct with respect to ACOA funding, and Rural Delivery apologizes to the principals of Ferme d'Acadie if any readers obtained that impression from the article. Likewise, Rural Delivery does not assert that the Ferme d'Acadie was solely responsible for problems with respect to continuity of goat milk supply, and apologizes if Rural Delivery readers obtained that impression from the article."

I regret that Rural Delivery is not prepared to publish an apology in regards the 3<sup>rd</sup> and 4<sup>th</sup> points in your clients' e-mail, with which Rural Delivery strongly takes issue. Please advise whether

May 9, 2002

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**PATTERSON PALMER**

*Law*

this will resolve the matter. It would be helpful to future discourse if ultimatums and allegations of conspiracy could be avoided.

Yours truly,  
PATTERSON PALMER

Peter M. Rogers

FML/vlb

c Client

Exhibit "B"

2011

Yar. No. \_\_\_\_\_

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:


Trout Point Lodge, Limited, a Nova Scotia Limited Company, and Charles Leary  
Plaintiffs

- and -

2012 No. \_\_\_\_\_  
This is Exhibit "B" referred to  
in the affidavit of Charles Leary  
(sworn/affirmed) before me  
on July 25, 2012

Doug Handshoe

Defendant

  
NANCY T. SULLIVAN  
Commissioner of The Supreme  
Court of Nova Scotia

Affidavit  
of  
Service

Before me appeared and having been sworn, Chris E. Yount testified that:

1.

My name is Chris E. Yount, a federal process server  
and licensed private investigator.

2.

I have personal knowledge as to the service  
of the Notice of Intended Action attached to  
my affidavit as Exhibit A.

3.

I received the Notice of Intended Action on  
4 May 2011 in Metairie, Louisiana.

4.

I identified Mr. Doug Handshoe's domicile in  
Bay St. Louis, Mississippi, at municipal address  
345 Carroll Avenue [Zip 39520].

5.

I served effected *domiciliary service* on Mr. Handshoe as required under law, by serving Mrs. Jennifer Handshoe at their home at 345 Carroll Avenue, Bay St. Louis, MS. 39520.

6.

Service was made on 6 May 2011 at 6:57 P.M. [CST].

7.

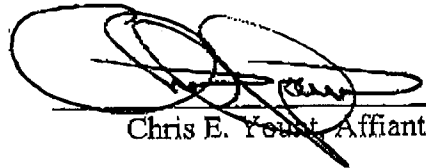
I further identified the vehicles owned by Mr. and Mrs. Handshoe to confirm that they in fact were the persons domiciled and living at 345 Carroll Avenue, in Bay St. Louis, Mississippi, 39520.


8.

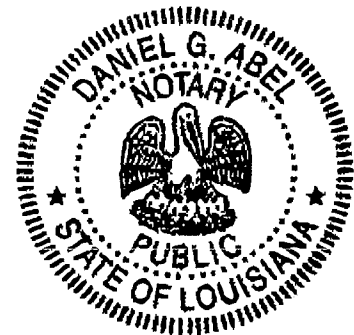
I faxed copies of the signed Notice of Intended Action and this affidavit to Dr. Charles L. Leary and placed the originals in the U.S. Mail.

FURTHER AFFIANT SAYETH NOT

Sworn and subscribed before me  
on this 6 May 2011. Metairie, LA.

  
Chris E. Yount, Affiant

  
Daniel G. Abel  
Notary Public  
Notary No. 36320



2011

Yar. No. \_\_\_\_\_

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:

**Trout Point Lodge, Limited, a Nova Scotia Limited  
Company and Charles Leary**

**Plaintiffs**

- and -

**Doug Handshoe**

**Defendant**

**Notice of Intended Action**

**TAKE NOTICE** that pursuant to the Nova Scotia Defamation Act (R.S., c. 122, s. 1.) Trout Point Lodge, Limited and Charles Leary are giving you notice of their intention to bring action against you in the Supreme Court of Nova Scotia at the Yarmouth Justice Centre, Yarmouth, Nova Scotia. They are providing you with notice of remedies and other actions you may take, which are spelled out in the Defamation Act. You can find a copy of the Defamation Act online at: <http://nslslegislature.ca/legc/statutes/defamatn.htm>.

The defamatory matter complained of was published by you on the Internet at the url [slabbed.wordpress.com](http://slabbed.wordpress.com). It is detailed below. You can take action that may mitigate damages, including but not limited to making an offer of amends and/or issuing a retraction.

This Notice is in no way an acknowledgement that the "slabbed" blog is to be considered a newspaper or broadcasting station as defined by the Defamation Act. Trout Point Lodge and Charles Leary are giving you advance notice of intended action in good faith so that you may act accordingly.

The slabbed publications were directly defamatory and were also defamatory by both true and false

**ORIGINAL**

*JH Jennifer Handshoe*  
*Don.*

**EXHIBIT A**  
**(PAGE 2 OF 5 PAGES)**



innuendo. The facts and background necessary to understand the publications of April, 2011 are contained in various publications referring to Charles Leary, Trout Point Lodge, and Aaron Broussard's Nova Scotia properties published by you from January, 2010 through the present day.

Publications on slabbed from January 2010 to April, 2011 mentioning Trout Point Lodge, Charles Leary, Aaron Broussard, Nova Scotia, and Canada defamed Charles Leary and Trout Point Lodge by imputing connections between Aaron Broussard's alleged "shady dealings," his alleged illicit and unethical activities as reported by news media, and the prospective plaintiffs. You also republished portions of news media reports filled with defamatory innuendo and imputed that there was a coverup of alleged wrongdoing.

In April, 2011, you wrote, and encouraged others to write, anti-gay and homophobic rhetoric & innuendo. You published such material on the Internet. As part of this rhetoric, you referred to Leary and his business partners as "girls" and "bitches," published more than one reference to the gay-themed movie Brokeback Mountain, and posted video clips of movies and music videos commonly associated with gay stereotypes, such as for example, the song "Macho Man" by the Village People. These publications were made in association with the proposed plaintiffs in an attempt to humiliate.

The prospective plaintiffs do not claim that referring to someone as gay in a publication is necessarily defamatory. There are many contexts in which it is not. However, when references to an individual's sexual orientation are made in a derogatory way in the context of defamatory publications, those references are themselves defamatory and an invasion of privacy. You published in such a way as to encourage hatred and contempt for gay individuals, and to encourage negative stereotypes.

With regards to directly defamatory publications, in particular, using the moniker Sop81\_1 you published the following on slabbed.wordpress.com on April 26, 2011 in a post entitled "Slabbed takes a look at the Trout Point business venture: Let's start at the end and work back":

"In researching this story what I have found is a pattern of Leary, Abel and the girls being first class bitches and I think it is safe to assume based upon the retractions they made the Times Picayune and its corporate parent their bitch in this fiasco because Rainey was onto something big, albeit a bit dated in the fleecing of several local individuals that were marketed and sold ownership in the Trout Point by Aaron Broussard, who had close personal and business ties to Abel, Leary and the girls."

The prospective plaintiffs say that stating publicly that Leary demonstrates a pattern of being a "first class bitch" as a statement of fact would tend to lower the esteem others hold for him. It is defamatory.

Stating as fact that Leary and Trout Point Lodge were involved in a "fiasco," "something big," which was the "fleecing of several local individuals" is defamatory. To fleece a person is equivalent to committing fraud and/or extortion, a crime.

You published: "Leary, Perret and Abel were trying to use the Canadian Libel laws to strong-arm the Picayune and their parent Advance Publications;" and "Leary and the gang thought they buried the story."

Stating that Leary used Canadian law and the Nova Scotia judicial system for an ulterior or improper purpose is defamatory. Stating that the prospective plaintiffs worked against freedom of the press, "strong-arming" a prominent daily newspaper, the Times-Picayune, is defamatory.

You published the following in the same blog post, regarding a now-settled proceeding in the Supreme Court of Nova Scotia involving one of Charles Leary's former businesses. In this publication you make statements of fact: "Like I said one of the sticking points was the disclosure of the owners of La Ferme D'Acadie, which Leary claims is the Dairy Farm portion of the Nova Scotia operations and despite the fact Abel's name evidently appeared on the paperwork to get the loan Leary was insistent Abel was not involved and the gyrations are simply stunning as we continue from the court opinion:

The applicant claims that broken pipe caused a flood in his home during the winter of 2002, resulting in the destruction of documents. In August 2005 Hurricane Katrina wiped out the office of Daniel or Abel. He was Mr. Leary's assistant manager and business associate. The applicant maintains that he kept records of the partnership's dealings with the plaintiff as well as other business records at his location. In the spring of 2006 a break in a Trout Point Lodge gas stack emptied the NS resulted in fire that a safe containing certain documents related to the transactions which are the subject of this proceeding.

Obviously there is a huge problem here – that of a liar or in this case a perjurer keeping his lies straight. Now maybe there was a bust pipe that took out vital records and maybe someone took time to drive to the middle of nowhere to steal the safe from a resort that was obviously not doing well financially. But Abel losing his records to Hurricane Katrina? Really Charles?

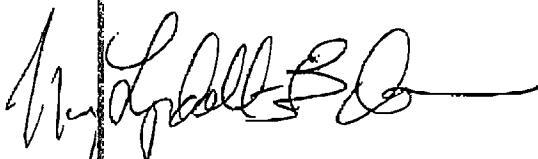
The judge did not appreciate Leary's arguments either and must have laughed him out of court."

Publishing that Leary lied to a justice of the Supreme Court of Nova Scotia and committed perjury is defamatory. Perjury is a crime.

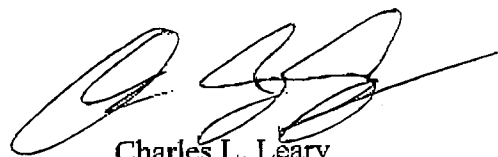
Can someone help me remember what infamous Canadian Eco Lodge Butler, among other Broussard cronies, claimed to own a small slice in?  
sop

54. Another post he republished as a "sticky" after our court filing was entitled "To amplify a point Gate and I are making....." originally published on April 18, 2012. It linked to comments such as, "Apparently there are legs to the Federal Investigation concerning kickbacks."
55. In June, 2002, Nova Scotia-based agriculture specialty magazine *Rural Delivery* published a retraction regarding an article it had published on my former business La Ferme d'Acadie and Nova Scotia goat milk producers. The text of the published retraction is contained in a true copy of a letter attached hereto as Exhibit "A".
56. Attached hereto as Exhibit "B" are the Notice of Intended Action served on Handshoe in Bay St. Louis, Mississippi in May, 2011, and an Affidavit of Service signed by Mrs. Handshoe.
57. To my personal knowledge, neither Trout Point Lodge nor I, nor any other Lodge employee, officer, or agent ever commented publicly to the media or public sources about Broussard's alleged involvement in renting his Nova Scotia properties to Jefferson Parish government contractors. Trout Point Lodge did seek to correct factual misstatements or misrepresentations and, in certain cases, retractions from New Orleans media during and after January, 2011 using private communication with editors or managers.
58. Attached hereto as Exhibit "C" is a transcription of additional parts of the evidentiary hearing on damages, January 30, 2012, from a CD recording of the hearing I ordered from the Nova Scotia courts. It accurately reflects what was said at the hearing before Justice Hood, which I attended. I have put time stamps in appropriate places.

Sworn to and subscribed before me, a Commissioner of Oaths of the Supreme Court of Nova Scotia, this 25<sup>th</sup> day of July, 2012.



NANCY TYNDALL-BULLERWELL  
Commissioner of The Supreme  
Court of Nova Scotia



Charles L. Leary

THE COURT: Now I will say, first of all, I've read your Statement of Claim in detail, and I realize that you have default judgment. I have also read your brief and the cases you submitted, except I didn't have a complete opportunity to read the recent Jones case from the Ontario Court of Appeal, which was released about 10 days ago. My intention would be obviously hearing from you on your claims, indicating what damages you're seeking. It's clear that there being default judgment that everything that is stated in your statement of claim is deemed to have been proven. So I really just need your submissions on how the case law you've given me relates to the type of damages you're making. It is my hope that I can give you an oral decision, I may not be able to do it this afternoon. It depends on how long we take. I prefer if we could if I am able to give you an oral decision tomorrow. I had a 2-day trial set and I just learned that it's not going ahead so we'll see how things progress this afternoon, but my intention would be to bring you back tomorrow, and then give you the oral decision.

LEARY: Yes, and that's what I wanted to move on to, was just a very . . . Maybe, My Lady, if I could I'll just quickly summarize the Table of Contents?

THE COURT: Sure.

LEARY: So, first we have the decision which apparently your ladyship has already gotten a copy of—the Jones Ontario Court of Appeal decision. At Tab 2 is just a summary of I think 12 cases, recent cases from across Canada where a permanent injunction has been ordered in defamation cases. Most of them are Internet defamation cases. At Tab 3 is an important one, it is a table we put together over past couple of days of the defendant's publications which we consider defamatory, some of which do reproduce things that are already in the statement of claim, but a substantial number that are not and go from January, 2010 to January, 2012.

PERRET: Charles, can I interrupt you for a second. The table shows what sort of information?

LEARY: To understand the table, there are three colors used in the copy provided to your ladyship. The green is the url of the publication.

PERRET: Excuse me Charles. Were there defamatory comments or remarks or innuendo carried in any of the urls?

LEARY: Yes, it's one notable feature of Wordpress blogs is that they take the title of the blog using hyphens and create urls that actually contain the words. And therefore if the title is defamatory the url itself is defamatory and it is read by search engines that way. So search engines pick up on the defamatory material. And then black is the actual publication, most often from the Slabbed blog. And then any of our comments are in red, for explication of the publications.

Then at Tab 4, we've already gone over, was proof of service of the Notice. Tab 5 goes to the position and standing . . .

PERRET: Excuse me Charles. I'm sorry to interrupt you again. But can you tell . . . there was more than just one attempt at service?

LEARY: Yes, of the notice for the damages assessment hearing?

PERRET: Yes.

LEARY: Yes. We wanted to make sure. We were actually told that we didn't have to serve Mr. Handshoe notice, and we only found out the day before. So, we wanted to make sure there was no doubt that he was given notice. So we attempted to send him faxes to his CPA office in Wiggins, Mississippi. And he repeatedly just kept turning off the fax machine. So there would never . . . And the program we use actually comes up and puts up a message that says "fax turned off" in mid transmission. And so none of the faxes ever went through, though some pages were transmitted. We also emailed to the address that had been identified by Automattic, Inc., the owner of Wordpress, as being his registered email address for that blog, and he has admitted in subsequent blog publications that he received those materials.

PERRET: Charles, have you received emails from the same email address that you emailed?

LEARY: Yes. I did not identify myself. We used the Trout Point Lodge email. We didn't make any comment. We simply sent copies of the brief, the notice, and later on the authorities to him. He has subsequently written to me personally with defamatory emails, and each time he has carbon copied a reporter. On one occasion it was a business reporter at the Chronicle-Herald and the Atlantic Bureau Chief of the Globe & Mail, and on a 2<sup>nd</sup> occasion a reporter who was a former defendant in a now settled litigation, a reporter for the Times-Picayune newspaper; so, not just published to me but published to third parties.

I am going to return to just briefly summarize the publications made over the past 2 weeks, but going on through the table of contents. Tab 5 is just material related to the standing of the plaintiffs, including press releases from the National Geographic Society, and an article from the Ashoka Foundation, an article from the Chronicle-Herald newspaper. Mr. Handshoe is constantly arguing that he has total right to free speech under U.S. law, and that this is a sham defamation claim against him. And I'm just putting into the record relevant criminal laws, not just civil laws but criminal laws from the United States. United States federal stalking statute, which refers to cyberstalking or the use of interactive computer services to harass causing emotional distress is a federal crime in the United States, and also Mississippi statutes that are actually labelled cyberstalking. And Mississippi is Mr. Handshoe's residence. So despite the fact that he claims all this would be allowed in the U.S., we don't think that's the case. At Tab 7 is some information published by Mr. Handshoe about himself, concerning what he does, how much he earns per hour, and also information on the extent and distribution of the Slabbed

blog on the Internet. Tab 8 is material we've taken from the Internet that discusses how blogs like Mr. Handshoe's get read by search engines, how they can increase their prominence through the use of tags, manipulation of key words and other materials, which he does.

PERRIET: Excuse me Charles . . . *inaudible* around to identifying . . .

LEARY: I'm going to come back to the table. . . . Tab 9 is, um, Mr. Handshoe has just over the past 5 days started to solicit money via postal channels and PayPal to fund his endeavour to get documents from Nova Scotia copied and sent down to him so he can continue to investigate and expose the plaintiffs in this proceeding. And that's just showing him doing that. He uses the url slabbed.org. ".org" designation usually signifies a non-profit or a charity, and the donation feature of PayPal is also usually used by tax-exempt or charity organizations. He is uses it to continue to fund his defamation campaign.

Next at Tab 10 we've simply gone to Slabbed and using tags, he tags each one of the plaintiffs, me, Mr. Perriet, Trout Point Lodge, as well as other persons, including a member of the Nova Scotia Supreme Court, and there is just printouts of the tags for those relevant persons. Each tag leads to articles that mention that person.

PERRIET: Charles, could you tell me something about the assemblage of tags on a given page or a given piece that Mr. Handshoe does?

LEARY: Mr. Handshoe frequently—and this will be apparent in any material that's looked at—uses tags to associate persons and themes and actions. So, for instance, I am commonly tagged in a post that also has tags like the "Jefferson Parish political corruption scandal," maybe "money laundering," things like that. So if someone is looking for "money laundering" they are much more likely to come across Mr. Handshoe's posts and therefore find his defamatory material on the Internet.

PERRIET: What about Trident Holdings?

LEARY: He also creates these conglomeration of tags mentioning scandals and companies with which we have no relationship whatsoever. I guess that there is a scandal going on Louisiana involving a Nova Scotia company called Trident Holdings. I know nothing about it. He also frequently associates my name with a company called Coastal Shoring that I have absolutely no relationship to. So that's what Tab 10 is about.

Tab 11 are some representative examples of the defendant's activities and publications since being served with the notice of this hearing on January 13<sup>th</sup>, and they are voluminous. 12 are printouts of images and visual depictions which Handshoe has in all cases but one published himself on his blog. There is one image again of a Nova Scotia Supreme Court justice which Mr. Handshoe refers to and links to but it was not actually published on his blog; it was published on someone else's web site. And that person he identifies as being a member of the Slabbed Nation. The Slabbed Nation is a group of people who contribute to his blog.

PERRET: Excuse me Charles in your estimate how many people belong to the Slabbed Nation.

LEARY: It's hard to tell because it's very clear after 2 years of looking at this blog that one person has multiple monikers or personalities on the blog and at times even hold conversations with themselves using the blog.

PERRET: Charles, are these nice photographs?

LEARY: These are not nice photographs. They go to not only our claim for defamation but our claim for invasion of privacy and aggravating circumstances. Some are just photos of me or you, Mr. Perret, that are copyrighted material stolen from either the Ashoka Foundation or the National Geographic Society; in other cases our faces have been lifted off of those photographs and superimposed on images with anti-gay themes. And I think just by looking at them, it's very clear.

Tab 13 are the emails I already mentioned to me and journalists. Tab 14 are things that we marked as being specific threats and intimidation, examples of lies that show the comportment of the defendant. Tab 15 addresses publications made not on the Slabbed blog, but made by Mr. Handshoe across the Internet at other web sites: [ripoffreport.com](http://ripoffreport.com), TripAdvisor, and um . .

PERRET: Excuse me, Charles, how do you know that Mr. Handshoe published the . . . In many instances I assume Mr. Handshoe uses his own name his own blog as the mode to defame, but in some instances surely he must try to hide his identity.

LEARY: Well, at times, more recently he has become braver about identifying exactly who he is in some of these; we do not have 100% proof that all of these publications come from Mr. Handshoe, however their grouping in time—a lot of them were grouped around the time period when he was actually personally served with the amended notice of action in September and he went through a rage of Internet postings on his own blog and also went through and posted defamatory things on these other web sites.

THE COURT: Okay, well, let me just stop you there. If there is material in here that you can't tie to him, obviously I'm just going to have to ignore it.

PERRET: And I'm going to get to that. Charles, the material at redditt, for instance, did Mr. Handshoe ever Tweet the existence of the review there?

LEARY: Mr Handshoe has a Twitter account in which he tweets frequently, which is labelled as being the Slabbed blog and he has tweeted to bring the attention of the world to these posts. Also, he often in these posts—for instance the one on the TripAdvisor web site in the Nova Scotia travel forum, he links

Publishing that Trout Point Lodge was not doing well financially is defamatory of the corporate plaintiff.

On April 28, 2011, you published on the topic of Charles Leary's Costa Rica business Cerro Coyote, S.A. You compared the Leary and his business partners to the known criminal Bugsy Siegel and accused them of fraud. This publication is defamatory.

Also during April, 2011, you published the following comment by "Unslabbed" on more than one occasion:

"Oh my , what a tangled web we weave when first we endeavor to deceive.

Welcome to Slabbed Danny and Carlie and Charlie and Vaughnie and any of you other Special Guys of Trout Point and Wild West.

Now I am VERY curious and inquisitive about you...and ALL your BUDS.

May I suggest BOYS that you all huddle quickly and decide if the Inquisition sure to follow continued attempts to GAG the Slabbed Nation is worth the information which will be elicited [sic] in protracted legal battles on all continents. Please remember that many of us enjoy Dual Nationalities, Consulate [sic] Immunities, and have LONG REACHING tentacles ... perhaps longer than yours , although size is not really that important unless you are on the receiving end.

If I were you BOYS I would keep my head down, not bend over to pick up the soap and ride my horses into the sunset on Brokeback Mountain.

I, one Slabbed Nation member, vow to search you all out to the ends of the earth ( Yes in Switzerland, Hawaii, France, Italy, Canada and Spain ) anywhere any of you have any connections.

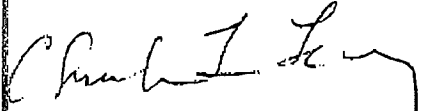
I have the time, temperament and now the impetus to set myself to this task. Hold on, it may be a bumpy ride for some of you.

See ya soon, Cowboys.

This publication is a threat and is replete with anti-gay and homophobic rhetoric and innuendo.

Charles Leary and Trout Point Lodge are allowing you 14 days notice, as of the date you receive this, to retract, correct, and/or seek to mitigate the injuries you have caused to their reputations in Canada. Any Notice of Action filed against may also include causes of action besides defamation.



A handwritten signature in cursive script, appearing to read "Charles Leary". The signature is written in black ink and is positioned above the printed name.

Charles Leary in person and as agent for Trout Point Lodge, Limited.

Exhibit "C"

Further Transcription of Supreme Court of Nova Scotia Proceeding  
Trout Point Lodge et. al. v. Doug K. Handshoe  
January 30, 2012

January 30, 2012, 1:09 pm

THE COURT: Uh the . . . I'm sorry I looked at this file last week. The affidavits of service are . . . do you have affidavits of service or have they already been filed?

LEARY: For the Notice of Action they're in the record My Lady, and in the materials we have today we have proof of Mr. Handshoe being served with notice of this hearing.

THE COURT: Okay, that's what I want. That's what I want to know. Yes, I knew you had default judgment. So I do need proof of service on the defendant. Before we start I guess we should do that.

LEARY: Okay. What I have My Lady is we actually prepared a hearing book, which we would like to give testimony and enter into evidence. We don't plan to go through everything.

THE COURT: And the affidavit is in there?

LEARY: It's not an affidavit, My Lady, it is . . . he was given notice by FedEx delivery to his last known address, also by email, and by fax.

THE COURT: Could I just look at that, because before we get underway I really need to be sure that we're properly here and that he was, that he had notice of the hearing and he's not here.

PERRIN: And My Lady he also in his blog threatens to, he acknowledges receipt indirectly by threatening to publish our affidavits that were sent to him on the 13<sup>th</sup>.

THE COURT: Okay, here's the FedEx tracking results that show that it was . . . left at front door. package delivered to recipient address. Okay.

LEARY: On the 13<sup>th</sup>, which provided the 10 days.

THE COURT: Okay, I see, that's great. So, this is my copy?

LEARY: Yes.

NANCY TYNDALL-BULL  
Commissioner of The Superior  
Court of Nova Scotia

20 12 No. \_\_\_\_\_  
This is Exhibit "C" referred to  
in the affidavit of Charles Leary  
(sworn/affirmed) before me  
on July 25 20 12

My [Signature]  
Signature

to his blog. And we just think on the balance of probabilities, the likelihood of it being Mr. Handshoe's is there. But I'm sure Your Ladyship will know how to weigh that.

PERRET: Charles, where did you last live in Louisiana before moving to Nova Scotia over 12 years ago?

LEARY: I lived in a little village called Mt. Hermon.

PERRET: And the identifies of the posters at redditt and some of the other . . .

LEARY: At reddit he actually identifies himself as being Mr. Handshoe, sop.

PERRET: ripoffreport

LEARY: At ripoff report he publishes 2 defamatory posts about Trout Point Lodge and in one of them he states that the person is from Wiggins, which is where he has his CPA office, and in the other he states the person is from Mt. Hermon, which is where I used to live.

PERRET: But nonetheless you're saying that he in addition to publishing these things that he also Tweets or advertises that they're published?

LEARY: That's correct. Tab 16 is the documents we've already been over. Tab 17 is just a listing of the criminal offences, the moral laxities or the ethical lapses that he accuses us of garnered from his various Internet publications over a 2 year period. The specific titles of crimes and ethical lapses that he accuses us of.

PERRET: Could you read those to us please. . . . My Lady would it matter that we read it or could we just save time by . . .

THE COURT: Well, I'm certainly going to be reading this.

LEARY: And then Tab 18, which I think I had to hand write in on your table of contents, My Lady, is showing when there are photographs taken from the Ashoka Foundation and the National Geographic Society started to appear on Mr. Handshoe's blog, we checked to make sure that both of those photos were copyrighted material, which they were; we notified the Ashoka Foundation and National Geographic Society that their copyrighted material was being used in a defamatory context in publications about us, and both the National Geographic Society and the Ashoka Foundation served Digital Millennium Copyright Act notices, take down notices, on the host of Mr. Handshoe's blog. The host did remove those photographs and Mr. Handshoe has simply put them back up again.

PERRET: Excuse me Charles, did you say that these photographs, the copyrighted material and the ridiculing photographs appeared on Mr. Handshoe's site?

LEARY: Yes.

PERRET: Or . . . the copyrighted photos?

LEARY: The copyrighted photos. Some of them appear on his site. The only one, as I already said, the only one that does not appear directly on his site is the one that is a depiction of a Supreme Court justice from Nova Scotia. And that was referred to and linked to by Mr. Handshoe.

PERRET: What about the photograph of Mr. Abel?

LEARY: That was also referred to and linked to, but did not appear on his site. I had forgotten about that one. Mr. Abel is our third partner in the Trout Point Lodge business and this is a depiction of him being shot in a . . . and he's wearing a stereotypical, gay stereotypical leatherette outfit as he's being shot down.

PERRET: There may be one or two others that weren't published directly on his site, but were referred to from his site and approved?

LEARY: No. The image of you and me in pink too-tus is published on his site, and the image of us as 2 boys around 8 years of age, facing one another in an embrace was also published on his site. And the sole purpose of these photos is to ridicule, mock, and harass, in my opinion.

1:49 pm

PERRET: Charles, can you tell me what it was that Mr. Handshoe threatened back in September?

LEARY: Yes this is referred to in a number of different places, but Mr. Handshoe when he was served with the amended notice of action, he was personally served—the prior 2 services were good as well as we've argued in our brief under the Hague treaty on international service—but when he was actually personally served with the amended notice of action he, within a couple days I believe, he published a comment on his blog in which he said that unless we dropped this civil action against him in Nova Scotia, that he would amplify the targeting of us on his blog and that he had dossiers on everyone and that he would start to target other people we knew as well. And he has carried that out.