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SERVED BY HAND } TUESDAY, APRIL 22/08 @ HALDIMAND COUNTY OFFICE

April 22, 2008

Attn: The Honourable Michael Bryant
Minister of Aboriginal Affairs
Ontario Ministry of Aboriginal Affairs
720 Bay Street, 4th floor
Toronto, ON M5G 2K1

Re: Your comments about me and my complaint to the Ontario Human Rights Commission

Dear Mr. Bryant:

This letter is your formal notice under the *Libel and Slander Act* that legal action against you is pending.

On April 07, 2008 you were quoted in a Toronto Star/Canadian Press article as making the following comments about me and my complaint to the Ontario Human Rights Commission regarding alleged human rights violations in Caledonia.

Aboriginal Affairs Minister Michael Bryant said the human rights complaint doesn't help resolve a complex situation dating back hundreds of years. Most people don't have much sympathy for Vandermaas or McHale after their tense rallies in the divided town, he said.

"Their activity, generally-speaking, is extremely harmful and, as far as I can tell, unwelcome by everybody," Bryant said. "I know a lot of people in Caledonia feel that they're individuals who are just trying to get attention for themselves and are, in fact, stirring it up."

Toronto Star/Canadian Press, April 07/08: *Fantino asked to attend rights mediation*

The clear innuendo from your remarks is the following:

1. That I had no right to submit a complaint to the Ontario Human Rights Commission, and that I acted maliciously against the public interest by doing so.

2. That my motivations for organizing and participating in protests against the Ontario Provincial Police and the Ontario government are nefarious and/or self-serving.
3. That there is no evidence to support the positions I have taken against violence and racially-based policing associated with aboriginal land claims.
4. That I have caused great harm to the lawful interests of Caledonia citizens.
5. That you have personally spoken with many residents of Caledonia who have been directly affected by land claim lawlessness and race-based policing, and that not a single one supports my activities.

Given the knowledge available to you by virtue of your position as the Minister of Aboriginal Affairs and the information available had you made reasonable inquiries of me and my website, VoiceofCanada.ca, you knew or ought to have known the following:

1. That, as a citizen of Ontario, I have the right to avail myself of the Human Rights complaint process without retaliation for making that complaint, and that I exercised my right to do so out of an honest belief that members of the OPP had treated me differently because of my race, and not out of malice.
2. That there is no evidence whatsoever that I have organized or participated in protests against the OPP or Ontario government for any other reason other than a deeply held belief that innocent citizens of Ontario are being victimized by lawlessness and civil rights violations in connection with aboriginal land claims.
3. That there is overwhelming evidence to support my beliefs and the positions I have taken, and that, in fact, similar opinions are held by other Ontario citizens, respected media outlets and politicians, including Caledonia's Member of Provincial Parliament, Mr. Toby Barrett.
4. That my activities were lawful, that I have used and encouraged only the use of lawful, non-violent means of protest, and that there is no legal basis for claiming that these activities have caused direct harm to the interests of the people of Caledonia.
5. That you have not, in fact, met or spoken with all Caledonia residents concerned or affected by the illegal activities in their town; that despite your promise to meet with specific Caledonia residents who provided their contact information to your aide during your visit on November 26, 2008 you have not yet done so; and that you have been criticized by residents for not honouring that promise and failing generally to listen to their concerns.

During your visit you promised to meet with Mr. Gary McHale, also the target of the remarks in question, yet you have not yet done so. Given your failure to meet with Mr. McHale and the residents of Caledonia as promised, I believe that your statements show a reckless disregard for the truth.

It would seem that you have been influenced by unfounded statements that have been made by representatives of the OPP, which statements, similar in nature to those set out above, are currently the subject of ongoing litigation by me and by Mr. McHale.

Given your position as the Minister of Aboriginal Affairs, knowing that people would take your words with a great degree of authority and, given the timing of your remarks in connection with my complaint to the OHRC, you conveyed the false and distinct impression to the public that I am not a valuable human being, that I do not deserve to have human rights and that no member of the public should be concerned that my human rights may have been violated.

Since your remarks were made in reaction to the news that OPP Commissioner Fantino has been asked by the Ontario Human Rights Commission to attend a mediation session regarding my complaint, and since Mr. Fantino is employed by the government in which you hold a senior position as a cabinet minister, it appears that you have used your position to discredit both me and my complaint in an effort to unduly influence the Commission's human rights investigative process on behalf of the Commissioner.

It is clear from any reasonable reading of the Toronto Star/Canadian Press article that your comments were designed to discredit me and to diminish my reputation in the community. I am gravely concerned that your comments will be used by critics of my endeavours to demean and damage my reputation, diminish my credibility and undermine my lawful initiatives. I consider your remarks to be false and defamatory against me and amount to a very serious libel against me. I have suffered and will continue to suffer serious damage as a result of the libel.

On April 09/08 I sent a letter to my MPP Deborah Matthews by email, fax and personal delivery seeking her help in obtaining an apology from you for your remarks. A copy of this letter was forwarded to you by email and by fax. To date I have received no reply from Ms. Matthews. On April 10/08 I sent a letter to you by email and fax asking that you meet with me to discuss your remarks. As of today I have received no reply from you.

I am now requesting that you submit immediately to me in draft, a clear and unqualified apology and, once approved by me, that it be released in a Ministry news advisory to the media generally, and to the Canadian Press and Toronto Star in particular.

Further, having regard to your senior position within the Ontario government, the gravity of the allegations and the wide circulation of the publication of the remarks I am clearly entitled to substantial compensation as well as an apology. In addition to the draft apology I must ask you to submit your proposal as to a suggested amount.

May I please hear from your solicitors within 3 days of receipt of this letter. If I do not hear from you by 5:00 pm Wednesday April 25, 2008, confirming that these demands will be satisfied, I will be proceeding with legal action. I would expect that this will not be necessary.

Yours truly,



Mark Vandermaas