

at 425 Grand Avenue West, Chatham, ON N7M 6M8

(Court office address)

**Form 33B.1: Answer and Plan of Care
(Parties other than Children's Aid Society)**

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Chatham Kent Children's Services
495 Grant Avenue West
Chatham, ON N7L 1C5
Tel: 519-352-0440; Fax: 519-351-2367**

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Loree Hodgson Harris
Barrister & Solicitor
Chatham Kent Children's Services
495 Grant Avenue West
Chatham, ON N7L 1C5
Tel: 519-352-0440; Fax: 519-351-2367**

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Miriam Gittel Helbrants & Yachanan Laver
222 St. Clair Street, Unit 104
Chatham, ON N7L 3J4**

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Christopher Knowles
Barrister & Solicitor
518 Victoria Avenue
Windsor, ON N9A 4M9
Tel: 519-252-0529; Fax: 519-255-1719
chris.knowles@mdirect.net
Solicitor for the Respondent Parents**

Children's Lawyer

Name & address of Children's Lawyer's agent for service (street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)) and name of person represented.

TO THE APPLICANT(S):

(Note to the respondent(s): If you are making a claim against someone who is not an applicant, insert the person's name and address here.)

AND TO: *(full legal name)* _____, **an added respondent,**
of *(address for service of added party)*

(Note to the respondent(s): You must complete, serve, file and update this form if any significant changes regarding the child(ren) occur after you sign this form.)

We are *(full legal name(s))* Miriam Helbrants & Yachanan Laver

We are *(state your relationship to the child(ren))*

The biological parents

PART 1

1. The child(ren) in this case is/are:

Child's Full Legal Name	Birth date	Age	Sex	Full Legal Name of Mother	Full Legal Name of Father	Child's Religion	Child's Native Status
Mendel Helbrants	May 13, 2009	4	M	Miriam Helbrants	Yochanan Laver	Non R.C.	N/A
Sheia Baila Helbrants	July 13, 2012	1	F	Miriam Helbrants	Yochanan Laver	Non R.C.	N/A

2. The following people have had the child(ren) in their care and custody during the past year:

Child's Name	Name of Other Caregiver(s)	Period of Time with Caregiver(s) (d, m, y to d, m, y)
Mendel and Sheia	Mother and Father	December 17, 2013 to present day
Mendel and Sheia	Foster Care	December 12 to 17, 2013
Mendel and Sheia	Mother and Father	Birth to December 12, 2013

PART 2

3. If this is a child protection application, complete this Part, then go to Part 4. (If this is a status review, complete part 3, then go to Part 4.)

(Check applicable box(es).)

I/We agree with the following facts in

paragraph 6 of the application (Form 8B).

paragraph 3 of the application (Form 8B.1).

(Refer to the numbered paragraph(s) under paragraph 6/paragraph 3 of the application.)

I/We disagree with the following facts in

paragraph 6 of the application (Form 8B).

paragraph 3 of the application (Form 8B.1).

(Refer to the numbered paragraph(s) under paragraph 6/paragraph 3 of the application.)

See attachment 1

NOTE: If you intend to dispute the children's aid society's position at the temporary care and custody hearing, an affidavit in Form 14A **MUST** also be served on the parties and filed at court.

PART 3

4. If this is a status review, complete this Part, then go to Part 4. *(If this is a protection application, complete Part 2, then go to Part 4.)*

(Check applicable box(es).)

I/We agree with the following facts in

paragraph 6 of the application (Form 8B).

paragraph 3 of the application (Form 8B.1).

(Refer to the numbered paragraph(s) under paragraph 6/paragraph 3 of the application.)

I/We disagree with the following facts in

paragraph 6 of the application (Form 8B).

paragraph 3 of the application (Form 8B.1).

(Refer to the numbered paragraph(s) under paragraph 6/paragraph 3 of the application.)

PART 4

5. What placement and terms of placement do you believe would be in the child(ren)'s best interest? *(You should include in your plan of care at least the following information. If your plan is not the same for a particular child, then complete a separate plan for that child.)*

(a) *Where will you live?*

222 St. Clair Street Unit 104 Chatham, ON N7L 3J4

(b) *Who, if anyone, will live with you?*

Mr. Laver and Ms. Helbrants will reside together with their children; no one else will reside with them.

(c) *Where will the child(ren) live?*

With their mother and father.

(d) *What school or daycare will the child(ren) attend?*

Mendel is home schooled.

(e) *What days and hours will the child(ren) attend school or daycare*

We will care for our children in lieu of daycare.

(f) *Are you enrolled in school or counselling*

Miriam is being treated for very mild depression and anxiety; she is taking medications as prescribed by her doctor, Dr. Marilyne Despots, her pre-natal and paediatric doctor in QC.

(g) *If you are enrolled in counselling, where do you attend counselling?*

Miriam and Yochanan also receive a form of counselling through Rabbi Josef Rosner and Rebetzin Malka Morganstern.

(h) *What support services will you be using for the child(ren)?*

The Chatham Kent Public Health Department has met with the parents as was provided in the agreement of December 17, 2013; the public health nurse has indicated that the family

does not require their services.

(i) *Do you have support from your family or community?*

The entire Lev Tahor community as well as other people in Chatham are supportive of the parents.

(j) *If you have support from your family or community, who will help you and how will they help you?*

Friends and family from the Lev Tahor community will provide child care assistance when needed they will also assist with ensuring that the children's needs are being met e.g. rides to doctors and other service providers.

(k) *What will the child(ren)'s activity be?*

The children play and bond with other children in the community through activities organized by the community relating to home schooling or activities organized with other families in the community.

(l) *What will your source of income be?*

Miriam earns approximately \$18,000.00 for services provided to the community.

(m) *Do you go to work or school?*

N/A

(n) *If you go to work or school, what are the details, including the days and hours you work or go to school, and who will look after your child(ren) while you are there?*

N/A

(o) *State why you feel that this plan would be in the child(ren)'s best interest.*

- 1. Separating Sheia and Mendel from their family and community would be extremely detrimental to their mental and emotional wellbeing and development.**
- 2. The removing of these children from their parents and the community puts the children at risk of harm.**
- 3. There is a close bond between all members of our community, removing the children from our care would have a negative impact on not only the child and parent relationship but the relationship the children have to the greater Lev Tahor community.**
- 4. There are important cultural factors that must be taken into account when considering the children's best interests as well as issues related to our sincerely held religious beliefs.**
- 5. It is very important that the children remain in their parents care in order to respect the principle of continuity of care and to minimize any disruption of that continuity. The principle of continuity of care is intertwined with the issues of respecting**

religious and cultural differences.

6. **The degree of risk that justified the warrantless apprehension was very low.**

6. These are people who have information that would support my plan:

Name	Information
Nachman Helbrans	Brother
Malka Morgenstern-Rosner	Community organizer
Chayeh Weingarten-Malka	Community secretary
Uriel Goldman	Community President
Mayer Rosner	Community Director
Sara Helbrans-Teller	Sister

PART 5

Claims by Respondent(s)

(Fill out a separate claim page for each person against whom you are making claim(s))

7. THIS CLAIM IS MADE AGAINST

THE CHILDREN'S AID SOCIETY (OR OTHER APPLICANT)

AN ADDED PARTY, whose name is *(full legal name)* _____

(If you claim against an added party, make sure that the person's name appears on page 1 of this form.)

8. I/WE ASK THE COURT THE FOLLOWING ORDER:

(Claims below include claims for temporary orders.)

Claims relating to child protection	
<input type="checkbox"/>	access
<input type="checkbox"/>	lesser protection order
<input type="checkbox"/>	return of child(ren) to my/our care
<input type="checkbox"/>	place child(ren) into the custody of <i>(name)</i> _____ <i>(s. 57.1, deemed custody order under the Children's Law Reform Act)</i>
<input type="checkbox"/>	place child(ren) into the custody of <i>(name)</i> _____ <i>(s. 65.2(1)(b), custody order for former Crown ward)</i>
<input type="checkbox"/>	society wardship for _____ months
<input type="checkbox"/>	place child(ren) into the care and custody of <i>(name)</i> _____ subject to society supervision
<input type="checkbox"/>	costs
<input checked="" type="checkbox"/>	<i>(Other; specify.)</i> An order dismissing the Society's application.

Give details of the order that you want the court to make. *(Include the name(s) of the child(ren) for whom custody or access is claimed.)*

- 1. That there be a finding that the children, Mendel Helbrants and Sheia Baila Helbrants, are not in need of protection pursuant to subsection 37(2) of the Child and Family Services Act.**
- 2. An Order dismissing the Society's Protection Application dated December 17, 2013.**
- 3. In case that court will postpone the court, an temporary order to postpone the obligation of the parents to cooperate with CAS until court decision**
- 4. Such further and other relief as counsel may advise and this Honourable Court may permit**

IMPORTANT FACTS SUPPORTING MY/OUR CLAIM(S)

See attachment 1

Put a line through any blank space left on this page

Date of signature

Miriam Helbrants

Date of signature

Yochanan Laver

"Form 33B.1" paragraph 3

Paragraph 3 - Subparagraph 1

Claim

In Subparagraph 1 of form 8B the CAS says:

"The Child Sheia has an unexplained injury in the form of bruise on her left cheek."

The parents deny the allegation that the mark of the child Sheia's cheek was an "unexplained injury."

The parents declare that it was not an "injury" at all and it was not "unexplained".

Yes, it was on the "form" of a bruise, but not an actual bruise. The parents have much evidence to prove the manipulation of CAS workers and directors to make up this "unexplained injury".

More Important facts supporting our claim under Subparagraph 1 , will be included on the facts under Subparagraph 4

Paragraph 3 - Subparagraph 2

Claim

In Subparagraph 2 of form 8B the CAS says:

"The mother and the father deny the child Sheia has a bruise and claim the mark is from a permanent marker."

The parents stand behind their denial of the bruise that is known to them as never existed and stand behind their claim that they know as a fact that the mark was from a permanent marker.

The parents declare even more, that even if they would not have any evidence to support their claim, they will never lie, never claim something they don't know as true and not deny any fact they know as true. So they are proud for denying the bruise and not giving up to emotional threats from the CAS to admit to their made-up theories.

Important facts supporting our claim under Subparagraph 2, will be included on the facts under Subparagraph 4

Paragraph 3 - Subparagraph 3

Claim

In Subparagraph 3 of form 8B the CAS says:

"The mark on the child face is a bruise, not a result of a marker"

This is not true; the mark was an ink stain of a permanent marker and not a bruise.

As the parents will explain under the subtitle "important facts supporting our claims under subparagraph 4", The CAS did a lot to manipulate the doctors to say cause them to believe at time the mark was a bruise and mislead them in order to avoid the cleaning test a method that would indefinitely determine the validity of either party's claim. And the CAS never prove that it was in fact a bruise, so instead of using this fact for questioning the parents' credibility based on their denial of the nature of the mark ("bruise") the parents use the fact that the CAS stand behind their self made-up theories to question the credibility of the CAS and to denounce their illegitimate motives to initiate unjustified intervention.

More Important facts supporting our claim under Subparagraph 3, will be included on the facts under Subparagraph 4

Paragraph 3 - Subparagraph 4

Claim

In Subparagraph 4 of form 8B the CAS says:

"The mother and father have failed to provide an adequate explanation for said bruise."

This is of course not true.

Important facts supporting our claim under Subparagraph 4

As every one that will read their (CAS) affidavits will conclude that the mother and father did provide the adequate explanation over and over for every social worker as well as for the police.

The opposite is true; the CAS did fail to provide an adequate explanation for the unwarranted apprehension of the children;

The CAS did fail to provide adequate explanation for refusing to conduct the cleaning test;

The CAS did fail to provide adequate explanation for misleading the doctors, as the parents will explain more under the subtitle "important facts supporting our claims".

It is clear from the affidavits of the CAS workers that the CAS had unanimous testimonies of numerous other community members, all of which fully matched with the version of both the mother and the father;

In the affidavits of Garnet Eskirt paragraph 7 its says:

"Ms. Rumble and I questioned Batsheva Alter if she was aware of the injury to the child. Ms. Alter stated that it was not an injury that the mother had informed her that the child Sheia had marked her face" in the context of the original affidavits that can not be seen as a conspiracy rather it should be used as an explanation"

The explanation of the mother described in paragraph 13 of the affidavit of Garnet Eskirt, is so detailed and is just the same as the version said to the CAS by the babysitter.

Reading the sequence of events the theory that they conspired to lie for a bruise that is not serious any way can not be consider reasonable concern.

The CAS did not mention the explicit request of the Mother and her brother Nachman Helbrans to conduct a cleaning test with a alcohol pad which is used at the hospital etc. and to try to see if there any signs of the ink stain gets brighter to prove that it is in fact an ink stain from the Marker. It is hard to consider such a request as part of a conspiracy to lie to the CAS. And it is harder to understand the refusal of the CAS to conduct this cleaning test.

The reading of the entire affidavits of Kerrey Rumble, describing the previous visits on the home of Helbrans-Laver did paint a rosily picture of a excellent mother that take so well care of her children and love them and can not give ground for believing that she will lie about a bruise not to mention that the bruise can be caused by physical discipline.

After learning from the affidavits that the emergency Doctor confirmed the bruise the mother wrote a letter to the doctor wondering in the cleaning test was done to determine that it is a bruise and not an ink stain. **See exhibit "A"**.

Attached to this application, **See exhibit "B"**, is a copy of a letter received from Dr. Newell dated January 22, 2014. Dr. Newell was the hospital emergency room doctor who treated Sheia when Society workers brought her to the hospital on December 12, 2013.

In his January 22nd letter Dr. Newell confirms his earlier diagnosis which was that there was a 1-2 cm lesion that had the appearance of bruising and that she had diaper rash due to irritation however she had no ear infection.

Dr. Newell states at the last paragraph of his January 22nd letter that the issued he noted were minor and that he did not give an opinion as to whether the bruise constituted abuse or neglect.

Dr. Newell never "confirmed" that it is a bruise; she stated in her letter that this "lesion" has the "appearance" of a ecchymosis or bruising. The mother never denied that the mark has the "appearance" of a bruise but argued that it is only an "appearance" of a bruise and not an actual bruise and required a cleaning test. The CAS did make sure that the mother should not talk to the doctor at the time of examination. More than that the CAS mislead the doctor in order not to question the "appearance" of the bruise by failing to provide the parents request of a hospital cleaning test.

Dr. Newell in his letter did stop short from saying that he ever "confirmed" that it is a bruise, rather he used the language "I hence felt that the mark was a bruise".

It is clear from the letter of Dr. Newell that he never performed the cleaning test since he relied on the word of unidentified 'CAS worker' that stated to him that he or she already tried to remove the mark with no success.

It supports the guess of the mother that the CAS misleads the Doctor, because the CAS says in their affidavits that the Doctor confirmed that it is a bruise and not a marker. However the Doctor said that the CAS worker is actually the one who said that he or she conducted the test of trying to clean the ink stain - a fact that is missing from their affidavits and therefor assumed to be a false statement in order to mislead the Doctor.

Some more questions remain even in this was the case:

- (a) Which CAS worker will come forward and make a sworn testimony that she performed the cleaning test and the "mark" was "unchanged" (not necessary "disappear") as result of the cleaning?
 - (b) Is there is CAS worker ready to testify and explain under oath why they didn't photo it before and after?
 - (c) What method the CAS worker used trying to remove the ink stain, since they are not occupied with professional cleaning pads like the hospital?
- It should be noted that just water can not make significant change at the spot.
- (d) Why the CAS didn't ask the mother to clean it, in order of to ease the anxious of the daughter or at last let the mother to supervise the supposed cleaning of the mark? And,
 - (e) How can the CAS miss such important factor from their affidavits, in order to mislead the Honorable court too... ?

Regarding the affidavit of Ms Claudette Wyles that it is all about that she had ask to send iPhone photos of the mark and Email it to a Dr. David Warren from London and he confirmed to her by phone that the "injury...was a bruise" and "would not have been as a result of a fair skin condition or any skin ailment such as eczame..."

On the affidavit of Ms Claudette Wyles she didn't mention that Dr. David Warren ever said that the mark can not be a ink stain. It is obvious that no professional will make such determination based on iPhone photos that didn't give the possibility to see the actual mark and to perform a cleaning test.

If the parents are reluctant from doubting the professionally of Dr. David Warren to which Ms Claudette Wyles detailed his qualifications, the parents have no choice but to conclude that Ms Claudette Wyles never told Dr. David Warren that the mother claim it is in fact a ink stain.

Ms Claudette Wyles in fact mislead Dr. David Warren, causing him to believe that it is an undoubted "injury" and then only discussed with him if is a bruise or a burn etc.

While no one should expect Dr. David Warren to initiate by himself the possibility of an ink stain when becoming fallacious from Ms Claudette Wyles that never mention to him such a possibility, Dr. David Warren was left with the opportunity to choose what is the mostly likelihood of this "injury" and Dr. David Warren choose that it is a bruise by finger pressure of falling on an object.

The estimation of Dr. David Warren was not necessary the most close guess, since he never before treated or examined the child and his Speculation were based on iPhone photos and Telephone conversations only.

Attached to this pleading as "**exhibit C**" is a copy of a letter from Dr. Rachel Rubenstein dated January 5, 2014.

Dr. Rubinstein is a dermatologist, her practice is located at the Jewish General Hospital,

her contact info is Dermatology Clinic G-026 Jewish General Hospital, 514-340-8222 ext. 8272, her information can also be found at this website: http://www.medicine.mcgill.ca/dermatology/clinics_jewishgeneral.htm

The parent's lawyer Christopher Knowles called Dr. Rubinstein's office on January 27, 2014, I am advised and verily believe that a staff member of Dr. Rubinstein's advised Mr. Knowles that she would let the doctor know he would like to discuss her letter of January 5, 2014 and obtain a CV.

The parents undertake to provide her CV to the Society and to the Court as soon as it is made available to the parents lawyer.

Dr. Rubinstein was Sheia's doctor when we lived in Quebec and she had prescribed some creams for Sheia's eczema that Dr. Rubinstein suggests could have been the cause for the mark on Sheia's face.

Dr. Rubenstein's letter indicates that Sheia was a patient of hers and that Sheia was diagnosed with atopic dermatitis i.e. eczema and recommended treatment with a mild cortisone cream, cerave lotion and decreased bathing.

Dr. Rubenstein says in her letter that she reviewed pictures of Sheia's face, the same pictures provided to Dr. Warren by the CAS and she speculated that the pictures are consistent with eczema.

Dr. Rubenstein suggests that the bruise seen on Sheia's face in the photos may have been caused by the cortisone cream.

The parents however, who witnessed the child playing with the marker and coloring her face and then the parents over washed and scrubbed the face in order to clean the ink stain, are confident that the permanent marker is the cause for the mark.

Paragraph 3 - Subparagraph 5

Claim

In Subparagraph 5 of form 8B the CAS says:

"The mother has recently expressed emotional instability requiring the use of medication."

This is not true;

Important facts supporting our claim under Subparagraph 5

As can be proven from the affidavits of the social worker Kerrey Rumble paragraph 20 that described the visit on Nov. 21 2013 as follows:

"...clothing had just been washed and folded... Mendel and Sheia were observed during the interview to be eating breadsticks and drinking bottled water... Mendel and Sheia interacted with the mother during the interview... Sheia requested more food throughout the visit. The mother would stop the interview to address the Mendel and Sheia... Sheia and Mendel appeared neat and clean"

All the above does not show instability and definitely not requiring medication.

During the apprehension, the mother was frustrated, not only because of the nature apprehension itself, but also due to the insensitivity that the CAS expressed towards by refusing to conduct a simple cleaning to determine her true claims, her behavior of crying and intervening into the words of the social workers was just reasonable for any sound mind mother with deep feelings for her children in such circumstances.

The mother did not get violent or uncontrolled at any point; The mother did not curse or threaten anyone; The mother did not use any irrelevant sentences at any point;

In fact the mother did obey and cooperated with the painful apprehension; the mother just tried her best to express her pain and frustration.

The only troubling, however misleading, words to support this claim can be found in the affidavit of Garnett Eskritt paragraph 21 which stated:

"...I heard the mother make statement that she would kill herself if her children were not in her care. I observed Ms. Doran ask the mother if she required medical help or if she was saying that she was going to harm herself. The mother stated that she would not harm herself".

Not only the end of the paragraph overwrites the concern, but this "statement" contradicted the impression from reading the entire affidavits that described quite the contrary the behavior of the mother before and after and during the apprehension.

The credibility of Mr. Garnet Eskritt that he ever "heard" this "statement" is under question, because another witnessing social worker that was with him, namely Mrs. Kerry Rumble, had described the very same moments – but seemingly "missed" only this "important" statement. Such a statement is arguably a very strong point of concern. If it were true, it should have been mentioned by her too. Ms. Kerry Rumble's affidavit paragraph 35 which stated as follows:

"On December 12, 2013, intake workers Garnet Eskritt and Jennifer Dorn, and Constable Jennifer Jacobson and I advised the mother, the father, Mayer Rosner and Malka Rosner, the wife of Mayer Rosner, that Mendel and Shiea were going to remain in the care of the society at this time due to Shiea having an unexplained injury. The mother started yelling "No no" and then got off her chair and started rolling around on the floor crying and stating that she needed her children. Ms Doran asked the mother if she was going to harm herself and the mother stated she would not ".

Where is this "statement" that the mother supposedly threatened to harm herself? It seems that Mr. Garnett believes himself that he "heard" this statement in order to cause yet another reason for concern.

Further in the affidavits of Kerry Rumble in paragraph 39, describing the conversation with the parents prior to the access of the parents, a day after the apprehension, she stated as follows:

"...The parents were advised that the children were going to remain in care this time... The parents will like the children to come home. The parents agreed to

remain calm during the access visit with the children. The parents provided the children with toys and necessities".

The mother expressed emotional stability during her hardest times in life, in such situations that would normally lead to some kind of instability. The mother however was higher and stronger than normal; she passed the test and guards her stability in a hard time that combined: frustration, helpless feelings, sincere maternal feelings and contractions.

In conclusion, the behaviour of the mother does not leave any room for a reasonable person to question or doubt that the mother had expressed excellent emotional stability.

The mother's exemplary conduct did not leave any place for doubt that if the mother was indeed "requiring the use of medication" than the mother certainly would follow carefully and completely all her doctor's instructions. As long as a person express emotional stability, the fact if an individual is "requiring the use of medication" to maintain this stability, should remain a private issue and the CAS should not intervene in such a case, especially when the individual is not a minor. As such, further intervention of the CAS into this issue should be considered as *"unreasonable search"* forbidden by section 8 of the Canadian Charter of Rights and Freedom.

Paragraph 3 - Subparagraph 6

Claim

In Subparagraph 6 of form 8B the CAS says:

"The mother and the father are part of a community called Lev Tahor wherein physical discipline is acceptable"

The first half of the subparagraph "the mother and father are part of a community called Lev Tahor" is absolutely true.

The parents are proud to be part of this wonderful community which is based on love for God and mankind and where the parental responsibility to care well their children is fulfilled at the highest standards on the planet. The parents are proud of the level of care they show for their precious children.

The farthest thing from the truth and reality is the senseless and baseless blame that "physical discipline is acceptable" within the Lev Tahor community.

Important facts supporting our claim under Subparagraph 6

Even the biased Youth Protection of Quebec that tried to build a case based on any sort of "concerns" about the children of Lev Tahor, did not dare to claim this allegation on Lev Tahor, in contrary they publicly denied this particular fabrication and assumption.

The parents are also protesting the discriminatory nature of the investigation weaved within and based on a discriminated group.

There are 40-50 families of Lev Tahor in Chatham; The CAS is aware of all their whereabouts, namely their addresses, personal details, and other private information. The

list of the CAS is fully updated and no child or address of a child of Lev Tahor currently missing from their list.

Any claim or allegation against Lev Tahor as a group and/or community should be lodged against all of them equally. Community related allegations cannot and should not be used against a specific individual or specific family, and cannot and should not even be mentioned in private cases, unless there is self-sufficient concrete evidence to prove those allegations against those specific individuals or specific families.

If the CAS really believes the theory that;

- (a) Within the Lev Tahor community "physical discipline is accepted", and then they further believe in the assumption that based on that theory,
- (b) Any member of Lev Tahor is suspected to be dangerous for his children, and then they further believe in the assumption that based on that theory;
- (c) They need to apprehend the children and return them only after coercing the parents to allow unlimited intervention in their private lives (by subliminally suggesting possible future apprehension for non-compliance),

If indeed the CAS truly believes this theory and the assumption of it, then the CAS should not "micro-discriminate" against particular families within a discriminated group and apprehend those children, impose a supervision order and conduct visits at their own whim and schedule as they see fit.

For the CAS to prove that they truly believe what they claim in the court papers, namely that they believe to that "physical discipline is acceptable" in Lev Tahor, their efforts to remedy the situation should be applied equally at the same time for all the families of Lev Tahor, since the theory of the "dangerous situation" also applies equally and at the same time for all the children of Lev Tahor.

At the alternate, the CAS or law enforcement can choose to bring to justice whoever they believe committed the crime of beating children or at the further alternate to bring the directors of the Lev Tahor community to justice regarding the alleged crime of directing the community to accept physical discipline.

The dirty, tricky tactic to do a random fishing of individual families by finding ink stains or foot fungal etc. and then to tear them apart by apprehending their children and furthermore by bombarding them with allegations of all sorts stemming only from their association with a community (Lev Tahor) albeit with no relation to them directly and privately, is the strongest proof for itself that not the Youth Protection of Quebec neither the CAS of Chatham actually believe that physical discipline are in fact acceptable in the Lev Tahor community.

This fact that the Youth Protection of Quebec did not believe that physical discipline is accepted in the Lev Tahor community, can be proven from the fact that Mr. Denis Baraby the Chief director of the Youth Protection of Laurentians who supervise all the three month long investigation, in his interview to the "Toronto star" on November 22, 2013 regarding his investigation on Lev Tahor, albeit he was very angry about the relocation of the families of Lev Tahor and obviously bias against them and in the mood of

exaggerating any minor negative issue, nevertheless he did deny the rumor of physical discipline (or "corporal punishment" as called in Quebec) in the community. In the words of the "Toronto star":

"Baraby said his investigators were "never really able to gather any information about corporal punishment" of children in the community."

(Also available online at:

http://www.thestar.com/news/canada/2013/11/22/jewish_sect_says_exodus_from_quebec_tied_to_clash_with_education_authorities.html)

Giving the level of investigation of the Quebec Youth Protection and their eagerness to justify their intervention, and giving their habits to associate any minor issue found in a particular family to the whole community, the term "never really able to gather any information" can be considered that Lev Tahor has been "proven innocent" at least on this particular allegation of physical discipline rather than "not proven guilty".

If the CAS truly believes the theories that "...physical discipline is acceptable" in Lev Tahor and choose to "protect" only the children on this case, than the CAS is technically breaching their basic duties as outlined in the 'Child and Family Services Act' section 3:

"The functions of a children's aid society are to, (a) investigate allegations or evidence that children who are under the age of sixteen years... (b) protect, where necessary, children who are under the age of sixteen year... "

So the very obvious conclusion is that the CAS also didn't believe that since November 22 2013, under the spotlight of the media and the microscopic investigation of the CAS, "physical discipline" became mysteriously accepted in Lev Tahor. They only take this as an excuse to intervene in the parents private lives just as they continue looking for all different kinds of excuses to intervene in the community in general.

The Society's evidence in support of the claim that physical discipline is acceptable in the community comes from Mr. Adam Brudzevski, specifically Mr. Brudzevski's oral evidence from November 27, 2013 in the Quebec Court.

The transcript of Mr. Brudveski's evidence is found as Exhibit C to the affidavit of Kerry Rumble dated December 17, 2013.

Mr. Brudveski's evidence is tainted both by bias and by his personal interest in the matter; the credibility of his evidence is an issue.

Mr. Brudveski's evidence does not fall under the exception provided in section 50 of the CFSA.

It is clear that the Quebec Youth protection, while being always cozied with Mr. Brudzevsky all along their 'investigation' in order to get from him private information of families and individuals, they never consider him a reliable person and under normal circumstances only used his statements as a tool but never rely on his allegations, probably they has been noticed his borderline personality disorder that his mother (a certified psychologist in Denmark) used to diagnosed him.

This can be proven from the actual court motions of the director of Youth Protection against the families of Solimani and Hayon, filed on November 18, 2013 after all the families of Lev Tahor community with children had left Quebec.

The reasons for requiring further intervention were almost identical in all applications, all of them can be found under section 3 of the motion. In the particular case of "Yocheved Soleimani" there are 28 subparagraphs for concern, solely based on critical views regarding the Lev Tahor lifestyle, they denounced the policy of segregation between unmarried boys and girls, the Yiddish speaking, the dress code, the early marriages, theories of day melatonin and stockings that causes foot fungal, all but not any thing that can be even close or hinting that physical discipline is accepted in the Lev Tahor community.

The fact that department of youth protection calling him to the testify was as a result as frustration among the particular social workers and directors that felt somehow offended by the relocation of Lev Tahor and even more by the unexpected media covered that also bring to the public debates the approach of the Quebec province toward religious freedom and religious education.

It is hard to believe that the DYP would calling the very same witness in case the parents in that case (Solemani and Hayon) were chooses to continue participate in the Quebec court proceeding and cross examine him no to mention to bring contrary witness.

The parents deny the statements of Mr. Adam Brudveski found at paragraph 17 of Ms. Rumble's affidavit; specifically they deny his suggestion that there is some edict in force requiring and authorizing the use of physical discipline in our community; this is a lie and an attempt to portray our community as something it is not.

Ms. Rumble's statement at paragraph 45 of her affidavit is also false to the extent that it implies that the community as a whole endorses, accepts and regularly uses physical discipline on its children.

The mother and father herby declare under oath that they do not use physical discipline on their children neither they let others use physical discipline on their children.

The parents do not believe that any other families in the community use physical discipline.

The parents had never seen and were never aware of a parent or caregiver in the community that use physical discipline on a child.

The parents however are outraged on the CAS that put on them this burden to deny and fights al this because of the ink stain they suspected as bruise. Since that even in case it was a bruise there was no reason to believe or suspect from the nature of the bruise that it was as a result from physical discipline; in fact the evidence of Dr. Newell suggests that the children are in good health and he found no evidence of injuries due to abuse or neglect.

The allegation regarding the use of physical discipline in the community as a whole should be struck as there is no admissible evidence offered as a foundation to this claim.

Important constitutional note regarding Subparagraph 6

In addition to all above, this tricky way of mixing up the issue of Lev Tahor in private cases is a serious violation of section 7 of the Canadian Charter of Rights and Freedom that states as follows:

*"Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance **with the principles of fundamental justice.**"*

The sole and only source of the CAS that "physical discipline is acceptable" in Lev Tahor stem from a testimony of Adam Brudzewsky in a case not related directly to Miriam Helbrans, her husband or children, in which Adam described a private conversation between Adam Brudzewsky and Chaim Azaria Alter.

By relying on the allegation of Adam Brudzewsky to apprehend the children and depriving the parents from the liberty of raising and educating their own children, and further to control them and limiting their liberty of parental rights and the rights of self decisions, the CAS clearly violates 'the principles of fundamental justice'. Since one of the principle of fundament justice is the right of cross examination and counter evidence by the person who is the subject of the complaint.

In this case, no proper cross examination can be done and no counter evidence can be provided:

- (a) How should Miriam Helbrans know exactly what Chaim Azaria Alter told in private to Adam Brudzewsky?
- (b) How can Miriam Helbrans be held accountable for alleged sentenced in private conversations that have or have not been said?
- (c) How did the CAS expect Miriam Helbrans to cross examine the witness Adam Brudzewsky or to defend herself when at no way were she part of the alleged conversation and therefore not in the position to defend, confirm, deny, explain or bring contrary evidence regarding a private factor that she was not part of?
- (d) How can be considered any way, under the rules of fundamental justice, an unexamined testimony by a private family court in Quebec under close doors that the parents in this case were not allow participating?
- (e) How can be considered any way, under the rules of fundamental justice, an unexamined testimony by a private family court, that Judge Hamel on that court declared again and again that he is NOT judging the community rather only individuals that the parents of this case and their children were not part of them. How can the CAS make a use of that against the parents in this case without giving the parents the opportunity to defend themselves PRIOR to the apprehension?
- (f) The mother herself didn't had any direct relation with Adam Brudzewsky, the father had only minimal relation with Adam. However, other members in the community, especially all those who were mentioned or related to facts in his testimony of Adam, they claim that they can provide evidence that will be

convincing beyond a reasonable doubt that all the negative impression stemming from his testimony is only a result from his questionable personality and disordered behaviour. So as the very first principle of fundamental justice we ask the honorable court to struck out any negative allegation and speculation in the further that the witness is not ready to testify honestly and pass the cross examination by the person subject of the complaint himself or his solicitor.

For example, in this case, unless Adam Brudzevsky is ready to be questioned and cross examined by Chaim Azaria Alter or his solicitor, his testimony can not be considered in accordance with the principals of fundamental justice.

(g) moreover, the evidence of Mr. Adam Brudzevski relied upon by the Society at paragraph 17 of the affidavit of Kerry Rumble sworn December 17, 2013 was not even subject to cross-examination by counsel for the respondent parents in that case because they were preserving their rights of appeal and did not want to take any action that would be viewed as attorning the respondent parents in that case to the Quebec Court's jurisdiction.

(h) As stated above the credibility of Mr. Brudzevski evidence is challenged; notwithstanding the evidentiary challenges with respect to bias and interest, the relevance of much of his evidence to the material issues in this case is highly questionable. There was never a chance that is in accordance with principles of fundamental justice to bring all this challenges and evidences before a fair relevant trial.

It sound that the CAS did try to trick private families to be prejudged before any proceedings even starts and by that way looking to compel them to agree to things that they will otherwise be considered invasion of their privacy and an unreasonable search that is forbidden by section 8 of the Canadian Charter of Rights and Freedom.

Paragraph 3 - Subparagraph 7

Claim

In Subparagraph 7 of form 8B the CAS says:

"The mother and the father are part of a community called Lev Tahor wherein there is a level of control by the community leaders, including the mother's father, Shlomo Helbrans, which compromises the safety and development of the children".

The first half of the subparagraph "the mother and father are part of a community called Lev Tahor" is absolutely true and the parents are proud of it.

The parents are also proud to be a couple that combined a daughter and the son-in-law of the honorable Grand Rabbi of Lev Tahor, the Grand Rabbi is well-known as a lovely and wonderful father/father-in-law for the parents, an amazing grandfather for Mendel and Sheia, grace and pleasant person to anyone in touch with him and in top of it a great Torah scholar that just teach the original Torah as it's written in ways of pleasantness and happiness.

The parents deny the allegation that there is "a level of control being exercised by community leaders" that somehow "compromises the safety and development of the children." This is a broad and prejudicial statement that should be subject to the strictest level of proof.

Important facts supporting our claim under Subparagraph 7

The only knowledge that Ms. Rumble and the CAS has of this alleged fact is from what has read in Mr. Brudveski's transcript of evidence and perhaps from their contact with social workers from the Quebec agency; I am not aware of any evidence that exists from our time in Ontario which would support such an allegation.

There is one and sole basic requirement in the community of Lev Tahor, namely: to be committed to keep the Torah unreformed. Whoever chooses not to keep the Torah as the member of Lev Tahor wish to keep it, can not be considered a member of Lev Tahor. These are the start point as well as the end point of the so-called "level of control".

Another aspect of "level of control" is that members of the community Lev Tahor always support and help each other, morally and financially, in time of need. This includes sharing advice, experience and knowledge with each other. Naturally those who are considered "community leaders" share bigger burden to help those in need, and they are doing their duty perfectly. The role of the Grand Rabbi in the community might be considered as the hardest, the parents pray to Hashem to give him healthiness and peace to continue performing his great mission.

How in the world this would "compromises the safety and development of the children" is for the CAS to explain. The parents have another point of view, that as responsible parents, this so-called "Level of Control" only contributes to their feeling of confidence, that in any case the safety and development of the children will never be compromised in Lev Tahor.

Just to mention few points that will explain what made the CAS using the irrelevant term "compromises the safety and development of the children";

- a. The definition "*compromises the safety and development of the children*" that the CAS had used in this case all along their application and affidavits, does not exist in any laws and regulation of Ontario, nor it was ever used before in Ontario courts. Other terms from the language of the law are always used.
- b. The definition "compromises the safety and development of the children" is simply taken from the "**Quebec**" Youth protection act, Division I "Security and development of a child" Paragraph 38:

"For the purposes of this Act, the security or development of a child is considered to be in danger if the child is abandoned, neglected In this Act, . . . (b) "neglect" refers to . . . (iii) . . . or failing to take the necessary steps to provide the child with schooling; . . . "

"The security or development of a child may be considered to be in danger where... (b) he is of school age and does not attend school, or is frequently absent without reason;.."

The legal definition of "schooling" according to the "Quebec" Education Act, section 15(4), is:

"... An educational experience which, according to an evaluation made by or for the school board, are equivalent to what is provided at school."

This act is more elaborately explained in the **Quebec's** Ministry of Education's policy on homeschooling (Home schooling – Policy framework, 2010):

"Parents who home school their children are responsible for ensuring that they receive instruction and benefit from an educational experience equivalent to what is provided at school, according to an evaluation made by or for the school board."

"Equivalent" may be interpreted to mean that the instruction and educational experience must give the child sufficient knowledge and competencies so that the child may enter or reenter the public or private school system."

"To this end, parents must ensure that their child achieves the learning objectives set out in the programs in effect in Quebec schools, or develops the competencies specified by the Quebec Education Program (QEP)."

c. Due to the religious observance of Ultra-Orthodoxy and subsequently Lev Tahor, certain secular subjects from the public school curriculum such as evolution and sexuality studies are forbidden. Therefore, according to Quebec law, the children of Lev Tahor are legally considered "neglected" and in "danger" for the mere fact of not studying the Quebec curriculum.

d. Since there is a requirement in Lev Tahor to practice the unreformed Torah commitments, and since this commitments do forbids the participation in public school system, and since in fact it is obvious that participating in the secular public school system will contradict the possibility of continuing the membership in Lev Tahor, the Director of Youth Protection of Quebec used this so-called "level of control" as the only official legal justification to judge any child based on the parents association with Lev Tahor.

e. The CAS did receive with blind eyes all the prepared court files from the DYP of Quebec, with the help of the copy-paste function in their computer, they easily copied whatsoever the DYP of Quebec prepared for their court files against Lev Tahor and paste it into Ontario court forms.

f. Obviously, since Ontario does not consider the secular curriculum to be part of "the safety and development of the children", this so-called "level of control" - which means that the "leaders" will teach to keep the commitments of the Torah and educate the children accordantly - is irrelevant for the safety or the best interest of the children.

Important constitutional notes regarding Subparagraph 7

For the Ontario CAS, to use the religious practice and beliefs of Lev Tahor as an backup excuse for apprehension of children and their further intervention in private life, is a

serious violation of all of the 4 subparagraphs of Section 2 of the Canadian Charter of Rights and Freedoms that states:

"Everyone has the following fundamental freedoms:

(a) freedom of conscience and religion;

(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

(c) freedom of peaceful assembly; and

(d) freedom of association."

By targeting a special religious group with no any special concerns for the children than in General, the freedom of religion, belief and opinion are compromised as well as their freedom of peaceful assembly (for worship etc.) and their freedom of association (under the path of Lev Tahor).

The parents also protesting over their double discrimination within a discriminated group, namely: there are 40-50 families of Lev Tahor in Chatham, all of them known to the Children's Aid Society with the address and children and all personal details; any claim against Lev Tahor in general should be brought against all of them equally all together. If the CAS really believe that any member of Lev Thaor is suspicious to dangerous for his children based on the theory that "there is a level of control by the community leaders", than this concern should apply to all families of Lev Tahor at the same time. At the alternate the CAS or the Law enforcement can choose to call the directors of the community to an appropriate court hearing. This dirty tricky tactic to do a random fishing of individual families by finding ink stains etc. and than to break them apart by apprehension of their children and further more by bombarding them with allegation from all kinds against the community all but related to them directly and privately, this is a violation of section 7 of the Canadian Charter of Rights and Freedom, that guaranteed ***"the principles of fundamental justice"***.

Paragraph 3 - Subparagraph 8

Claim

In Subparagraph 8 of form 8B the CAS says:

"On Monday, November 18, 2013, the parents suddenly and without notice to the Quebec Child Welfare authorities fled the jurisdiction and arrived in the Municipality of Chatham-Kent. This was disruptive to the children."

The parents deny that they "fled" Quebec. The change of residence was part of a plan that had been conceived by the community commencing six months prior to the move in order to ensure a safe and least disruptive transition for the members and their children.

The reason for the relocation was to keep the religious education. The parents are proud members of Lev Tahor, a community devoted to the Torah that forbids them from teaching their children subjects which contradict the commitments of Hashem.

No one was injured, harmed or disruptive in any way during the move.

Important facts supporting our claim under Subparagraph 8

The parents are proud that they are part of about 40-50 families that:

- a. Received a letter, from the school board in the Laurentian-Quebec, addressed to "all parents of Lev Tahor", dated 17 April, 2013, in which the school board stated that if the families will not enroll their children to participate in the secular curriculum they will be subjects to intervention of the Youth Protection authorities. **(See exhibits D and E).**
- b. After verifying the Quebec laws and comparing them to the Ontario laws, the families and the community as a whole start intensive planning their ultimately relocation. The parents are proud to participate in the planning. **(See exhibit F).**
- c. Since August 7, 2013, as more as the families feel that the Youth Protection are serious to intervene in their education, they were more intensive the relocation planning. The parents are proud to participate in the intensive planning stages.
- d. On November 14, 2013, after two families of Lev Tahor were advise that they will be called in court to compel them to educate their children against the religion and against the Torah, all the families of Lev Tahor decided to speed up the final preparations for relocating. The parents are proud to participate in the finalizing stages of the relocation planning stages.
- e. On November 17, 2013 the families of Lev Tahor finally took the route to relocate in Chatham Ontario. The families did not go without stock up food and clothing and all necessities. **(See exhibit G).** The parents are proud to participate in the relocation.
- f. The relocation was well organized and the children were so happy and relax. The caravan stopped on many 'on route' areas. The high level of community support caused the trip to be an exodus rather than runaway. **(See exhibit G).**
- g. The trip was only "Suddenly" and "surprising" for the Youth Protection agencies in Quebec that ignored the explicit statements of the community organizers that Lev Tahor members will not compromise to violate the Torah by secular education and that Lev Tahor members will rather leave the province of Quebec if the Youth Protection pressure them on that issue. The Quebec Youth Protection chooses to consider the statements from Lev Tahor as rhetoric, the Quebec Youth Protection apparently believes that Lev Tahor will choose comfort and relax rather than devoutness to Hashem. When the DYP realized the seriousness of Lev Tahor, they complained why did Lev Tahor families leave Quebec suddenly ...
- h. The relocation was all but disruptive for the children. However the apprehension of Shiea and Mendel –partly motivated by the relocation – was nothing else than extreme disruptive for the children involved and for all the

children in the community of Lev Tahor. Many children of Lev Tahor have since than starts complaining of nightmares out of fear that they can be apprehended as the children in this case.

Important constitutional notes regarding Subparagraph 8

The parents also protesting over their double discrimination within a discriminated group, namely: there are 40-50 families of Lev Tahor in Chatham, all of them known to the Children's Aid Society with the address and children and all personal details; any claim against Lev Tahor in general should be brought against all of them equally all together. If the CAS really believes that any member of Lev Thaor is suspicious to dangerous for his children based on the theory that their relocation from Sainte-Agathe Quebec to Chatham Ontario "was disruptive to the children", than this concern should apply to all families of Lev Tahor at the same time. At the alternate the CAS or the Law enforcement can choose to call the directors of the community to an appropriate court hearing. This dirty tricky tactic to do a random fishing of individual families by finding ink stains etc. and than to break them apart by apprehension of their children and further more by bombarding them with allegation from all kinds against the community all but related to them directly and privately, this is a violation of section 7 of the Canadian Charter of Rights and Freedom, that guaranteed "*the principles of fundamental justice*".

Paragraph 3 - Subparagraph 9

Claim

In Subparagraph 9 of form 8B the CAS says:

"The children are subject to a Quebec Authorization to Locate and Deliver Order dated November 19, 2013, for which the parents have not complied with."

The parents only learned about this "Quebec Authorization to Locate and Deliver Order" from reading the court documents of the current Ontario files.

Even if this order was a lawful order the parents didn't know about it and for the CAS to blame them of 'non compliance' is a knowingly false saying.

However, the parents are in the opinion that this order is Null and Void with no basis.

Important facts supporting our claim under Subparagraph 9

The Quebec order was issued 2 days after the parents and their children leave Quebec permanently with the intention of never to return there.

The order was issued after the parent and their children establish their habitual residency in the province of Ontario.

Even that the parents would not see their selves anyway obligated to comply with the order since it was issued after they were resident of Ontario. They still see it helpful to remark some points about this order;

- a. The Director of Youth Protection performed on the period between August 7, 2013 and November 17 2013, many unannounced visits in the parent's home,

performed all kind of unnecessary medical tests for the children in order to finds whatsoever reason to intervene in their private life. They compel the parents to participate in cross examination interviews questioning any aspect in their life.

- b. In conclusion, they still didn't find anything to say about the so well cared children of these particular parents.
- c. Since they found no reason to legally continue to intervene, because their children were under the compulsory school age and no other reason for concern was found, the DYP of Quebec did advise the parents that their file is closed. However they just add to them that the file will be reopened immediately as their children will reach the compulsory school age.
- d. The reason that families with children under the compulsory school age also hurried to leave Quebec at November 17, 2013 and did not want to gain some extra preparation time, steams from their forecast that the Director of Youth Protection may take unreasonable action against them as an act of frustration. A forecast that the further action of the Director of Youth Protection only legitimized it.
- e. One particular social worker of Quebec, named Ms Suzanne Tye, expressed many times her private views of animosity toward Lev Tahor lifestyle and particularly toward the Grand Rabbi and his loyal family. She has personal being in conflict with the mother regarding Lev Tahor lifestyle and various cases involving close relatives of the mother.
- f. The mother is currently reluctant from mentioning other cases in her own case. However, it is an important factor that must be note that Ms Suzanne Tye has very personal ties to one of the brothers of the mother named "Nathan Helbrans" who is a personal enemy of the mother in particular and a bitter enemy of Lev Tahor in general.
- g. The 'person responsible' for the strange Quebec court order is no one else than Ms Suzanne Tye. She did mention on paragraph No. 2-3 of the order that:

"The director of child protection received a report concerning these children. It was alleged that the children were; neglected, physically, in regards to their health and education and were exposed to bad psychological treatment."

- h. Ms Suzanne Tye did intently failed to mention the result of this report, that lead to over than three month of unreasonable investigation just to concludes that there noting true in this 'report' and there is not any reason for concern of these children. She did not mention that the particular file relating the children of this case is already closed. She probably re open it as an act of revenge due to the relocations itself.

- i. Ms Suzanne Tye continues to say on paragraph No. 4-5-6 on the visit of the child protection on the parents' home after they left Quebec. This is a simple lie; the child protection only attended the houses of the families of Hayon and Soliemani and **NOT** any other home. Therefore the DYP can not come to the conclusion what was left in my home and what not.
- j. Reading the affidavits of the Kerry Rumble paragraph 20 that described in details the visit from the Ontario social workers, just 2 days after the said Quebec order and portraying a total different picture, it clear from her affidavits that nothing of the basics was missing beside furnishers. Giving the fact that this was in a motel room virtually nothing was missing for the well being of the children. Making the Quebec order even more worthless of consideration for the best interest of the children.
- k. In paragraph No. 10 of the said order Ms Suzanne Tye insisted

"The children spent the night in motel rooms and cottages which would have been unsuitable for the winter..."

This is a another intentionally lie said in a sworn statement of Suzane Tye; the motel rooms and the cottages were the community were going into, were all suitable for winter. The CAS well has known this fact since they visited **all** the motel rooms and the apartment and houses (so-called cottages) and didn't find any of them unsuitable for winter. It is a serious breach of trust for the CAS to put on the parents the burden of fighting this order instead of simply informs the DYP in Quebec that this is basically not the case.

- l. In paragraph No. 12 of the said order says as follows:

"The parents attempted to willfully remove the children from the authority of the child protection act, the director of child protection and the court of Quebec – Chambre de la jeunesse."

This is not true, because the children were not at time of moving either under the *authority of the child protection act* since there was not any file open, the children were not under the *director of child protection* since they were not crown wards or protected children, they where not under *the court of Quebec – Chambre de la jeunesse* since there was not any court case against them.

The opposite is true, *the director of child protection* attempted to willfully to impose illegally his authority over the children.

While the parents are not lawyers and their solicitor only deal with laws that applied in Ontario, by simply reading the language of section 35.2 and 35.3 of the Quebec Youth Protection Act what the order was based on, it is believed that such order has been to be executed on the moment the Youth Protection are aware of the children's location and a maximum of 15 days are granted that such an order has to be return to the justice who granted it regardless if it was executed or not. At this end, the date that the CAS takes this order as an excuse for apprehension and reason for intervention, namely December 17,

2013, was at the least more than 2 weeks after this order has no more any validity and his already irrelevant in any province.

Important constitutional notes regarding Subparagraph 8

The issuance of the Quebec order, to "locate and deliver" Canadian children from a province to a province against their own will and against the will of their parents was a violation of the constitutional right of mobility freedom guaranteed under section 6 of the Canadian Charter of Rights and Freedom that states:

"...Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right (a) to move to and take up residence in any province; and (b) to pursue the gaining of a livelihood in any province"

The action of the CAS in Ontario to apprehended the children and then mess the parents about endless allegation as a result from relocation from province to province is also a breach of that right.

Mrs. Armenia Teixeira noted to the community that similar orders have been issued for **all** the children of Lev Tahor. Therefore the parents also protesting over their double discrimination within a discriminated group, namely: there are 40-50 families of Lev Tahor in Chatham, all of them known to the Children's Aid Society with the address and children and all personal details; any claim against Lev Tahor in general should be brought against all of them equally all together. If the CAS really believes that any member of Lev Tahor is obligated to comply with the order to "locate and deliver" his own children to the DYP in Quebec and is suspicious to be dangerous for his children based on his non-compliance with the order, than this concern should apply to all families of Lev Tahor at the same time. At the alternate the CAS or the Law enforcement can choose to call the directors of the community to an appropriate court hearing. This dirty tricky tactic to do a random fishing of individual families by finding ink stains etc. and than to break them apart by apprehension of their children and further more by bombarding them with allegation from all kinds against the community all but related to them directly and privately, this is a violation of section 7 of the Canadian Charter of Rights and Freedom, that guaranteed ***"the principles of fundamental justice"***.

Paragraph 3 - Subparagraph 10

Claim

In Subparagraph 10 of form 8B the CAS says:

"At the time of the application, the investigation remains ongoing."

There is no reason why the Society needs to continue its investigation into our family.

Important facts supporting our claim under Subparagraph 10

There have been no additional affidavits served on the parents since December 17, 2013.

The parents complied with all the terms of supervision that were ordered by Justice Fuerth on December 17, 2013 and there have been no new concerns identified by the Society since the without prejudice interim care order was made.

In fact, that was never really concerns about the community beside their refusal to comply with the schooling in Quebec.

Never did any conventional allegation have been made against the community or against the parents, nothing such as: physical abuse, molestation, drugs, alcohol, abandoning children, starvation etc.

Only unique alternate allegations, which are never a cause for DYP or CAS to intervene, were made against the community. Most allegations against the community were centered on critical views on the lifestyle of Lev Tahor especially denouncing the path of their religion.

The continued investigation in Quebec and in Ontario with no finding, under tremendous pressure to act any way, did cause the DYP in Quebec as well as the CAS, to adopt the habit of using intolerable degree of exaggeration on every minor issue.

Constable Jennifer Jacobson of the Chatham-Kent Police Services assisted the Society in its investigation after the children were apprehended; no charges were laid by the Police and Constable Jacobson did not determine as a result of her investigation that the mark on Sheia's face was a result of neglect or abuse.

The children were returned to their parents care by order of Justice Fuerth on December 17, 2013 subject to terms of supervision.

The parents have complied with all the terms of supervision imposed by the Court on December 17, 2013.

At no time did Dr. Newell give an opinion confirming that the bruise was a result of abuse or neglect.

On **exhibit B**, Dr. Newell confirms his earlier diagnosis that the children were generally in good health.

On **exhibit C**, Dr. Rubenstein's opinion of the children is consistent with Dr. Newell's opinion that both Mendel and Sheia appear to be in good health.

The public health nurse has told the parents, she is not sure why the court order of December 17, 2013 requires the parents to engage the public health department for services as her opinion is that the parents do not require services from them.

The mother gave birth in December; the baby was delivered without any problems; he remains in the care of the parents, and the parents are not aware of any concerns the Society may have with respect to his care.

On **exhibit "H"** Mrs. Deb Cook, the property manager of 86 apartments across Chatham, including the parent's apartment as 14 other families from Lev Tahor, said as follows;

"...One of my tenants is Miriam Helbrans, I know CAS had taken her 2 children and now the children have been returned to her care. Miriam is a

gentle mother takes good care of her 3 children, I have been in her units on many occasions, it's clean and tidy. I have other tenants in the buildings that have children that are not clean and the units are filthy, I don't know why isn't involved in this peoples life. It makes me wonder if Miriam is having all this problems because of who her father is..."

The property manager didn't read the court papers, however giving the facts that actually the CAS see it (in subparagraph 7) as a real concern that her father is a religious leader without making their own assessment but relying only on the bad side of stories, can justify any reasonable person to concern about prejudices from the CAS and be hesitating about consent of indefinitely investigation.

Unless serious concentered concerns will arise, the parents are in the opinion that enough is enough, and after six months of daily investigations under the spotlight of all authorities as well as numerous media investigation now is time to draw conclusions.

The parents believes, that if the CAS should be judged by their action and not merely by their statement, its look like the CAS are not in the trend to ever conclude the result of their investigation. And there are rather concentrated to look up for any more made up reasons to remain intervening in the parents private life and in the community members private lives Indefinitely probably never ended until they will sooner or later find justification to apprehended all children of the community.

This statement is based on the way the CAS acts in this case, as well as their acts with other families in the community.

There is no evidence that could support a finding of protection under any of the headings in subsection 37(2) of the CFSA; the case should be dismissed with costs payable to the respondent parents.

Exhibit A



Miriam G Helbrans <mg.helbrans@gmail.com>

Patient Diagnosis - Clarification

Miriam G Helbrans <mg.helbrans@gmail.com>

Fri, Dec 20, 2013 at 8:14 AM

To: mnewell@ckha.on.ca, chris.knowles@mdirect.net, nachmanle100@gmail.com

With the help of G-D

Dear Dr. Newell,

My name is Miriam Gittel Helbrans.

I am the mother of Sheia Baila Helbrans (D.O.B. July 13 2012).

On December 12 2013, during a visit from the children society aid at the home of my daughters babysitter, there was notice of a mark on my daughters left cheek. Since it looked like an injury, it caused concern for the workers. The workers decided that they will apprehend my daughter as well as my son for 5 days pending a court hearing.

In order to better present my question, I would like to copy a few relevant sentences from the affidavit that was written on Dec. 13 2013 by the social worker, Garnet Eskritt.

(Paragraph 5) " On December 12, 2013 I attended at the home of Batsheva Alter and Pinchas Feder.....I approached the stroller and observed a small female child sleeping in the stroller. Mr. Feder advised me they were babysitting for their neighbor Miriam Helbrants.....Mr. Feder stated to me the that the child's name was Sheia."

(Paragraph 6) "As I continued to interview Mr. Feder, approximately thirty minutes later the child Shia woke up. As Sheia had moved in the stroller, I was able to observe what appeared to be a dime size bruise located on her left cheek, adjacent to the left corner of her mouth. I requested that Ms. Rumble observe the injury."

(Paragraph 7) "Ms. Rumble and I questioned Batsheva Alter is she was aware of the injury to the child. Ms. Alter stated that is was not an injury that the mother had informed her that the child Sheia had marker on her face Ms. Alter went on to explain that the mother told her that, the father had purchased markers for the children to play with but had not realized they were permanent markers. Sheia had been playing with a marker and had written on her face and hands. Ms. Alter stated that the mother had been able to get the marker off Sheia's hands but had been unable to wash it off her face. Ms. Alter explained that this occurred several days ago."

(Paragraph 16) "...I spoke briefly with the father, the father stated to me that he had not observed any injuries on the child Sheia. the father advised me that sheia had colored on her face with permanent magic marker. The father stated that last Friday, December 6, 2013, he had purchased markers but had not realized that there were both permanent and washable markers. The father stated he had purchased permanent markers. On Sunday, December 8, 2013, when he had returned home at approximately 9:00 p.m., the children were already in bad. The father stated that the mother had informed him that the child Mendel had been playing with the permanent markers and Sheia had gotten those markers and coloured on her hands and face.

(Paragraph 19) "on December 12, 2013, Chatham-Kent police constable Jennifer Jacobson and I conducted a

videotaped interview with the father. The father disclosed information similar to that provided to me in the waiting room, Sheia writing on her face with permanent markers... The father explained that Sheia had sensitive skin and that they had seen a specialist in the past so they were very careful with her skin."

(Paragraph 25) "After Mr. Heath and I received the requested items from the father, we attended at the Chatham-Kent Health Alliance with Ms. Doran, Ms. Rumble and the children. The children were examined by Dr. Newell. Dr. Newell also confirmed to me that the mark on Sheia's left cheek was a bruise and not permanent marker. Dr. Newell did not observe any injuries on the child Mendel. Dr. Newell stated that with the exception of the bruises the children appeared generally in good health."

(Paragraph 26) " On December 21, 2013, Mendel and Sheia were placed in society foster care."

(Paragraph 28) "On December 13, 2013, Ms. Rumble and I spoke with the parents regarding the results of the investigation and to arrange access for the children. The parents were advised that the mark on Sheia's face was not magic marker and that the doctor had identified it as a bruise. The mother continued to insist that the mark was made by a magic marker. The mother thought the colour or pigment had somehow absorbed into Sheia's skin. The mother said she had gently washed Sheia's face using warm water and her hand as the child had sensitive skin. The mother indicated to me that after washing Sheia's face, she had applied lotion to Sheia's skin. The mother denied pressing hard on the skin and continued to insist that it must of come from the markers. The father made no comment and stated that his wife would explain as her English was better than his. I mentioned to the father that his English was very good and that communication had been very good yesterday. The father remained very quiet throughout that interview."

(Paragraph 32) "The child Sheia Baila Helbrants has a medically confirmed bruise to the left cheek adjacent to the mouth. The parents are unable to present a plausible explanation for the injury"

After I laid out the relevant excerpt from the affidavit from Garnet Eskritt, I feel it is my obligation to point out my concerns and seek a clarification in regards to the case with my daughter. Without doubting your expertise or integrity as an Emergency Medical Director, I would like to verify a few points that, in my opinion, will help to clarify the issue of the mark on the cheek of my precious daughter, a clarification that is crucial for the determination of the best interest of my children.

I do not know the circumstances surrounding the "diagnosis" or "verdict" of the relatively minor mark on my daughters cheek, however, knowing the cause for the mark and as a good loving mother I was traumatized by the sudden turn of events.

I feel the procedures and techniques used by CAS to secure custody over my children have been flawed and caused misconception for all parties involved. Additionally, information and input by health professionals have been accurate to the extent of the circumstances or cause for concern, not for the case at hand.

For example, If I had a bruise and went to a doctor and asked to get a confirmation it is a bruise I don't see any hesitation not to follow on such a request and confirm. If I were to challenge a doctor by requesting confirmation it is not a marker but a bruise, there must be procedures to determine that, a verbal approval or mere sight of the mark cannot disprove a claim it is marker.

My children have been taken away from me without any way for me to disprove their claim when there was still an opportunity to do so.

My questions to you as a Medical health professional is as follows.

A) Firstly I would like to know if there is a medical report on the case and observation, if yes, please send it at your earliest convenience, it would be greatly appreciated.

If there is not a report, I would like to know of the reason for absence of report is due to the insignificance of the case, or perhaps CAS has specifically requested not to produce one, or if they have denied the opportunity to receive one verbally or by any manner.

B) Also, I would like to know if the CAS has provided all the necessary background information for review and consideration in regards to my daughter's mark, or did they simply ask you regarding the "bruise" to which

naturally in the course of your work it would be referred to as a "bruise" (Henceforth a "medically confirmed bruise"). Whereas in such an event the issue at hand is whether treatment is necessary or not, and obviously there was no reason for it.

C) According to my analysis, and correct me if I'm not right, there was not performed any tests to determine whether my knowledge of the mark to be permanent marker with my effort to remove the color, or whether the claim of the youth worker's claim that it is a bruise. I believe that you see no reason to perform any tests, so in order not to question I conclude that the CAS didn't give you the information that ultimately make such a test deemed necessary.

D) Without questioning your professionalism as an emergency medical profession, I'm wondering if the emergency courses at the university did in fact ever come to this issue of determining between a mark from a permanent marker and a bruise. It sounds to me a very rare and even unique situation that usually not involves an emergency room and its staff. Only if it was verified and proven it was a bruise a doctor is required to determine the severity of the blow, medical treatment needed, etc.

E) I also would like to know your opinion on this question. If in the future a case where there is a dispute to the nature of a mark to a child and there is no danger or need for treatment, and the two claims are reasonable (as was the case with my daughter) if a doctor is the first method to determine the facts and disprove a party's claim, since I believe that a preliminary test to determine whether a mark is a marker or a bruise can be done even before visiting a doctor. A simple procedure such as applying a cotton swab with rubbing alcohol would suffice. If the texture or color of the mark lessens or changes however slightly, it is obviously a marker and not a bruise. If there was no test performed, I believe there you see no reason for a test to be done, as background information was lacking. My conclusion again that it was referred to as a bruise in the context of the situation, individuals involved, and the seemingly insignificance of the matter. Were the matter presented correctly it would have changed the scenario and the truth would have been revealed.

F) If you would have known the backdrop to the visit by CAS to the emergency room and the grave consequences it involved, what test would you have performed to determine the truthfulness of the claim by myself that it was a marker or the claim by CAS that it is a bruise and not a marker?

I have in my possession pictures of the mark given to me with all the court documents pertaining to the story with my daughter and son, they are now reunited with me and their father, my husband. Now that the mark is gone, I would like to bring the pictures to you to determine the accuracy of the claims and perhaps get a judgement by you to back one party, either me, the mother, or CAS. Please let me know if such a test can be done and if not, if you can please explain the reason it cannot be done.

Therefore I would like to know the circumstances surrounding the "confirmed bruise" whether it was in the context of determining the truth or in the context of medical attention needed or other perception of the need to confirm the circumstances and facts and not for the sake of investigation or the circumstances surrounding the visit.

I have cc'd my lawyer and I hereby declare my authorization for Dr. M. Newell to include my lawyer, Mr. Chris Knowles in all correspondence regarding this case.

I would appreciate your prompt written response to all the concerns addressed in this letter, and thank you in advance for doing so.

Miriam G Helbrans

Chatham, Ontario

Mailing address for correspondence:

222 St. Clair St.
Unit 104
Chatham, Ontario
N7L 3J4

1/28/2014

Gmail - Patient Diagnosis - Clarification

Canada

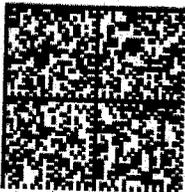
Exhibit B

P.O. Box No. 2335
LONDON - CANADA
N6A 4G4

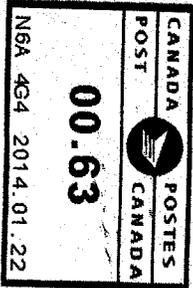


FILE NUMBER: 10095-03997 DML

Mrs. Miriam G. Helbrans
222 St Clair Street
Unit 104
Chatham, ON N7L 3J4



PB031 1733561
005140 mIIGY
0122 106357



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LAWYERS

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Dara M. Lambe
Direct Line: 519.640.6368
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dlambe@lerners.ca

January 22, 2014

FILE NUMBER 10095-03997

Mrs. Miriam G. Helbrans
222 St. Clair Street
Unit 104
Chatham, ON N7L 3J4

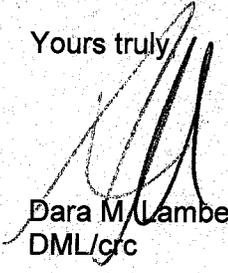
Dear Mrs. Helbrans:

Re: Dr. Michael R. Newell re Sheia Helbrans

We are counsel to Dr. Michael Newell. Please find enclosed Dr. Newell's response to your December 29, 2013 correspondence.

Please do not hesitate to contact me should you have any questions or concerns.

Yours truly,


Dara M. Lambe
DML/cfc

Enclosure

cc: Christopher G. Knowles, 518 Victoria Avenue, Windsor, ON N9A 4M8

4403689.1

January 21, 2014

Mrs. Miriam G Helbrans
222 St. Clair Street
Unit 104
Chatham, Ontario
N7L 3J4

Dear Mrs. Helbrans:

I write in response to your letter dated December 20, 2013.

I understand that you wish clarification as to my role in assessing your daughter, Sheia, on December 12, 2103 in the Emergency Department of the Chatham Kent Health Alliance. I shall make best efforts to address your queries below.

1. Is there a medical report?

I did document my assessment of Sheia and my conclusions on the Emergency Record kept by the Chatham Kent Health Alliance, as I am required to do for every patient I assess. No other medical report was prepared. If you wish to obtain a copy of the Emergency Record, it is the policy of the Chatham Kent Health Alliance that all such requests must be made directly to the hospital's Health Records Department. The contact information for the Correspondence Clerk in Health Records is: (519) 352-6401 ext. 6374.

2. What were the circumstances surrounding the assessment, and what background information was provided by the Children's Aid Society (CAS)?

CAS workers were present during my assessment of Sheia. The CAS workers reported a concern regarding a mark on Sheia's face, a concern regarding a diaper rash, and a concern regarding a potential ear infection. Their primary concern was the mark on the left side of her face near her mouth. They did advise that you had reported this was a pen or marker stain, but the CAS workers reported to me that they had attempted to remove the mark themselves by scrubbing it prior to presenting to hospital, without success. As a result, the CAS workers felt it was more likely a bruise rather than a pen or marker stain, and they requested that I assess Sheia's face in an attempt to clarify this issue.

I then examined the mark and documented my findings. I noted a 1-2 cm lesion that had the appearance of ecchymosis, or bruising.

I hence felt that the mark was a bruise. My conclusion was based upon both my own examination and upon the fact that the CAS workers had reported to me that they had tried to clean the lesion with no success, which is not something one would expect with a marker or pen stain.

Additionally, I examined Sheia and concluded that her diaper rash was due to irritation, and that there were no signs of ear infections. I advised on the treatment of these findings.

3. Were any tests performed on Sheia to determine whether the mark was a bruise?

I was aware that an attempt was made to remove the mark by the CAS workers prior to Sheia's arrival in the Emergency Department. Sheia was understandably quite anxious while in the Emergency Department; therefore, I did not feel further scrubbing of the area was in her best interests. Other than the provided history, my inspection, and my experience, I am not aware of any other objective tests that would have been appropriate in the circumstances to assess whether the mark was a bruise.

4. Details of my training to assess and diagnose facial trauma.

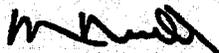
I have had extensive training and experience in all aspects of Emergency Medicine, including assessing, diagnosing, and treating facial trauma. In addition to medical school training, I am a certified specialist in Family and Emergency Medicine by the College of Family Physicians of Canada.

In the conclusion of your letter, you asked whether I would consider reviewing the photographs you took of Sheia's face subsequent to my assessment. While I do not wish to be uncooperative, I do not think that having me examine the photographs would be of any assistance to you. I did examine Sheia's face directly on the evening in question, and I made a diagnosis based upon that examination and the history as provided by the CAS workers.

To be clear, at no point was I asked to provide an opinion, nor did I provide an opinion, on whether this small bruise constituted evidence of abuse or neglect. As noted above, I documented that Sheia and her brother were generally in good health, other than the minor issues noted.

I trust this letter provides the information you seek.

Sincerely,



Dr. Mike Newell
Emergency Department
Chatham Kent Health Alliance
80 Grand Avenue West
Chatham, Ontario

cc. Dara M Lambe, Lerner's LLP
Chris Knowles
Nancy Homewood, Chatham Kent Health Alliance

Exhibit C

January 5, 2014
Montreal, Quebec

To whom it may concern,

My name is Rachel Rubinstein, MD, FRCPC. I am an assistant professor of dermatology at McGill University and practice out of the Jewish General Hospital in Montreal. I was asked to visit the Lev Tahor community in St. Agathe, Quebec on November 14, 2013 to evaluate and treat their dermatologic problems. In general, I found the children to be clean, well-cared for and behaving appropriately. I was impressed by the warmth of the community and concern of the parents for the well-being of their children.

One 17 month-old girl, Sheia Baila Helbrants, was diagnosed with atopic dermatitis (eczema) primarily involving the face and distal extremities. I treated her with a mild cortisone cream (1% Emocort), Cerave lotion (an emollient) and advised her mother to decrease the frequency of bathing. I reviewed a set of photographs of Sheia's face taken in Chatham, Ontario which were emailed to me on December 30. The photos are consistent with her underlying eczema. The reported bruise of the face may represent an adverse effect commonly seen in patients treated with cortisone creams. These bruises are reversible and have no significant medical implications. I also examined Sheia's brother, Mendel Helbrants whom I diagnosed with a wart of the right index finger. I treated the latter with Soluver (a salicylic acid liquid).

Overall, I evaluated 61 patients, the majority of which were children, at the Lev Tahor community. The most common problems I encountered were onychomycosis (nail fungus), atopic dermatitis, acne and warts. These are typical clinical problems I routinely encounter in my dermatologic practice. These are relatively benign conditions, many of which spontaneously resolve in early adulthood. It is important that I emphasize, unequivocally, that these problems do not reflect parental neglect or abuse. As such, there is absolutely no indication for intervention by child welfare authorities regarding these minor skin conditions.

Sincerely,



Rachel Rubinstein, MD, FRCPC,
Assistant Professor of Dermatology,
McGill University

Exhibit D



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER
SIR WILFRID LAURIER SCHOOL BOARD

Wednesday, January 15, 2014

Armenia Teixeira, Attorney
O'Hanlon, Sanders, Teixeira, avocats,
3187, rue Saint-Jacques, suite 101
Montréal, Québec
H4C 1G7

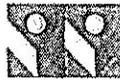
Subject: Home schooling application regarding the Lev Tahor community

Dear Mrs. Teixeira;

As requested in your correspondence dated January 14, 2014, please find enclosed copies of the correspondence exchanged between our school board and the Lev Tahor community.

Sincerely,

Johanne Brabant
Secretary General
Sir Wilfrid Laurier School Board



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER
SIR WILFRID LAURIER SCHOOL BOARD

Le 22 février 2013

Monsieur Uriel Goldman
Monsieur Mayer Rosner
1611, rue Marinier
Sainte-Agathe-des-Monts, Québec (J8C 3E3)

Objet : Scolarisation à la maison

Messieurs,

Le 15 décembre 2012 des autorités du Ministère de l'Éducation, du Loisir et du Sport ont visité vos installations sur le rue des Bouleaux à Sainte-Agathe-des-Monts et ont conclu que les enfants de votre communauté ne respectaient pas les obligations de fréquentation scolaire comme le prescrit la *Loi sur l'instruction publique*.

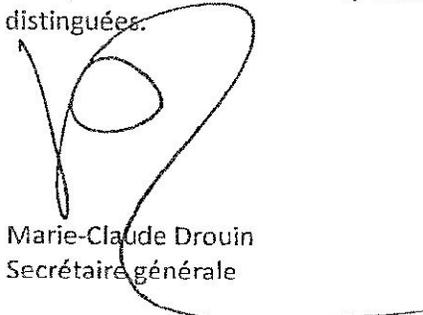
Le 21 février 2012, vous avez rencontré le directeur général de la Commission scolaire, Monsieur Robert Vallerand, la directrice des services éducatifs et la secrétaire générale de la Commission scolaire Sir-Wilfrid-Laurier afin de discuter des modalités d'inscriptions pour scolarisation à la maison. À la fin de cette rencontre, vous nous avez mentionné que vous étiez pour faire un suivi dans les meilleurs délais.

Or, à ce jour, nous n'avons eu aucun suivi de votre part. Vous trouverez ci-joint une liste de noms d'enfants pour laquelle il y a obligation de fréquentation scolaire. Nous vous rappelons également que pour être évalué par une Commission scolaire anglophone, vous devez être éligible à l'éducation en anglais. Vous pouvez également choisir d'être scolarisé ou de suivre votre scolarisation à la maison auprès de la Commission scolaire francophone de votre territoire, soit la commissions scolaire des Laurentides.

Nous vous invitons à communiquer avec la soussignée dans les plus brefs délais afin de nous faire part de vos intentions.

Pour toutes questions quant à la présente, n'hésitez pas à nous contacter.

En espérant le tout conforme, veuillez agréer, Monsieur Goldman, Monsieur Rosner, nos salutations distinguées.



Marie-Claude Drouin
Secrétaire générale

p.j.

C. C. Monsieur Daniel Parent, directeur régional de Laval, Ministère de l'Éducation, du Loisir et du Sport
Stephanie Vučko, directrice générale, La Commission scolaire Sir-Wilfrid-Laurier
235, montée Lesage, Rosemère (Québec) J7A 4Y6
T 450.621.5600 • F 450.621.7929 • www.swlauriersb.qc.ca



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER
SIR WILFRID LAURIER SCHOOL BOARD

Le 17 avril 2013

Par lettre recommandée

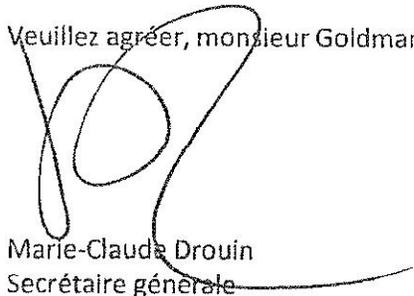
Monsieur Uriel Goldman
Monsieur Mayer Rosner
1611, rue Marinier
Sainte-Agathe-des-Monts (Québec)
J0N 1P0

Objet : Signalement pour absences répétées

Messieurs,

Suivant notre correspondance du 22 février dernier et considérant que nous n'avons eu aucun suivi de votre part, nous devons vous informer de notre obligation d'aviser le Directeur de la protection de la jeunesse au sujet de la cinquantaine d'enfants de votre communauté qui ne semble pas être scolarisée selon la Loi sur l'instruction publique.

Veillez agréer, monsieur Goldman, monsieur Rosner, mes salutations distinguées.



Marie-Claude Drouin
Secrétaire générale

C.C. Stephanie Vucko, directrice générale, Commission scolaire Sir-Wilfrid-Laurier
 Tina Korb, directrice des services éducatifs
 Daniel Parent, Directeur régional, DRLLL
 Fanny Ethier, Chef de service RTS, Direction de la protection de la jeunesse



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER
SIR WILFRID LAURIER SCHOOL BOARD

PAR LETTRE RECOMMANDÉE

2013-09-09

Monsieur Uriel Goldman
Monsieur Mayer Rosen
1611, rue Marinier
Sainte-Agathe-des-Monts (Québec)
J8C 3E3

Objet : Demande d'éducation à domicile

Messieurs,

Suivant notre correspondance du 17 avril dernier, ainsi que votre message téléphonique du 2 mai dernier, nous nous adressons à vous dans un ultime effort afin de régulariser la situation de la cinquantaine d'enfants de votre communauté qui ne semble pas se conformer à l'obligation de fréquentation scolaire prévue à la Loi sur l'instruction publique.

En effet, nous vous demandons de bien vouloir compléter les formulaires de « Demande d'éducation à domicile » ainsi que le « Contrat d'éducation à domicile » ci-joints. Vous trouverez également le « Guide d'information » afin de vous aider dans cette démarche.

Nous espérons recevoir votre demande d'éducation à domicile dans les plus brefs délais, cependant à défaut de recevoir un suivi de votre part dans les douze jours suivant la date d'envoi de cette lettre, nous nous verrons dans l'obligation d'aviser la Direction de la protection de la jeunesse.

Johanne Brabant
Secrétaire générale par intérim

c.c. Chantal Richer, Ministère de l'Éducation, du Loisir et du Sport (MELS)
Fanny Ethier, Chef de service RTS, Direction de la protection de la jeunesse
Daniel Parent, Directeur régional, DRLLL
Stephanie Vucko, directrice générale, CS Sir-Wilfrid-Laurier
Tina Korb, directrice des services éducatifs

With the help of God

September 29 2013

To Madame Johanne Brabant, Interim Secretary General, Sir Wilfrid Laurier School Board

In response to your letter, dated 09-09-2013, that required us to complete the "Application request for Home Schooling" and the "Home Schooling Contract", for all the 50 or so children of the community, within 12 days of the mailing date, stating that if the documents are not received you will be compelled to advise the Youth Protection.

We want to advise you, that meanwhile between May 2012 and now, the Youth Protection required us to rectify many more issues, starting from renovation at some homes, through community wide hygiene and prevention education, ending by the establishment of community public building that comply with all the city rules. The Youth Protection maintains the education issue as well; however they made it clear that the safety and health issues should have the priority.

In addition, it should be taken into account the complication and sensitivity of the education issue, because many of the families do not have sufficient knowledge in English or French that made it impossible to comply with all the instructions, not to mention that many of the subjects should be modified and adjusted according to the Torah and the original Jewish Religion and our beliefs.

Our opinion is, that we should come to a consensus that we should start from language and mathematic only on a temporary basis (for a period of time) and then we can discuss on a permanent plan.

However, the timeline of 12 days is out of the reality and made the issue just to go out of our control and to be even more far from a solution; just to add the fact that 10 of these 12 days was the Holliday of Sukkot.

We noticed on the "Home Schooling Procedure" that you attached to your letter, that the usual end date for accepting application by your

school board for home schooling is on or before May 31st of each school year, this date just made sense in our case.

In conclusion, in order to find a real solution for the education issue and to comply with the laws and not to be disconnected from the reality we ask you, to extend the time to give you all the final applications to the next May 31st. Of course, on the meantime we will be in contact on a monthly basis to work out a real solution. Otherwise, just to be kept with the 12 days deadline, sound to us like an ultimatum that will only further complicate the issue what is in contrary to our interest and yours alike.

Waiting for your official response, respectfully yours



Uriel Goldman



Mayer Rosner

P.S. Please kindly send a copy of the letter to all those concerned.



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER
SIR WILFRID LAURIER SCHOOL BOARD

October 18, 2013

Uriel Goldman
Mayer Rosen
1611, rue Marinier
Sainte-Agathe-des-Monts (Québec)
J8C 3E3

Object: Your letter dated September 29, 2013

Dear Sirs;

I would like to acknowledge the receipt of your letter dated September 29, 2013 in which you ask for an extension to May 31, 2014 to finalize the application for home schooling.

As you are aware, the Sir Wilfrid Laurier School Board has the responsibility of educating all children of school age on their territory. Furthermore, the Education Act, in its' sections 1 and 14 clearly outlines the school attendance obligation:

section 1: *Every person is entitled to the preschool education services and elementary and secondary school instructional services provided for by this Act and by the basic school regulation made by the Government under section 447, from the first day of the school calendar in the school year in which he attains the age of admission to the last day of the school calendar in the school year in which he attains 18 years of age, or 21 years of age in the case of a handicapped person within the meaning of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1).*

and section 14: *Every child resident in Québec shall attend school from the first day of the school calendar in the school year following that in which he attains 6 years of age until the last day of the school calendar in the school year in which he attains 16 years of age or at the end of which he obtains a diploma awarded by the Minister, whichever occurs first.*

The Education Act is very clear and it does not allow for any form of delay; the application of it is immediate.

Unfortunately, we are unable to grant any further delay as your situation has been in violation of the law for more than one year already.

Therefore, you leave us with no other alternative than to refer your case back to the Direction de la protection de la jeunesse and to the Ministry of Education.

Regards,

Johanne Brabant
Interim Secretary General

Exhibit E



Québec, le 6 mars 2012

Monsieur Uriel Goldman
1611, rue Marinier
Sainte-Agathe-des-Monts (Québec) J8C 3E3

Monsieur,

Le 20 janvier 2012, en réponse à ma correspondance du 10 janvier 2012, vous avez indiqué que vous collectiez les informations concernant la liste complète des garçons et des filles de votre communauté âgés de 6 à 16 ans.

Compte tenu du délai écoulé depuis votre réponse, je vous demande de me transmettre cette liste d'ici au 23 mars 2012. Cette liste, outre leurs nom et prénom, doit indiquer leur date de naissance, leur adresse ainsi que le nom et prénom de leurs parents, ou de leur tuteur.

Je vous prie d'agréer, Monsieur, l'expression de mes sentiments les meilleurs.

La directrice de l'enseignement privé,

Maryse Malenfant

c. c. M. Mayer Rosner



RECOMMANDÉ

Québec, le 10 janvier 2012

Monsieur Uriel Goldman
1611, rue Marinier
Sainte-Agathe-des-Monts (Québec) J8C 3E3

Monsieur,

Le 15 décembre 2011, M^{me} Claudie Lamoureux, M. Jean-Sébastien Côté et M. Ugo-Mercier Gouin, professionnels au ministère de l'Éducation, du Loisir et du Sport, ont visité vos installations sur la rue des Bouleaux à Sainte-Agathe-des-Monts, en vertu d'un mandat de la ministre de l'Éducation, du Loisir et du Sport. À cette occasion, ils étaient accompagnés de plusieurs représentants de la Direction de la protection de la jeunesse des Laurentides.

Tout d'abord, concernant les garçons de 6 à 16 ans, cette visite a permis de constater qu'ils fréquentent votre établissement de 8 h à 15 h et qu'ils ne sont pas inscrits auprès de la commission scolaire. Ainsi, ils ne s'acquittent pas de leur obligation de fréquentation scolaire comme le prescrit la Loi sur l'instruction publique.

Dans leur cas, vous êtes donc invité à demander à leurs parents de prendre contact avec la commission scolaire responsable de s'assurer que les personnes relevant de sa compétence reçoivent les services éducatifs auxquels elles ont droit en vertu de la Loi sur l'instruction publique. Cette dernière leur indiquera alors comment elle entend faire le suivi requis en pareilles circonstances. Les coordonnées des commissions scolaires desservant votre territoire sont les suivantes :

Monsieur Claude Pouliot
Directeur général
Commission scolaire des Laurentides (francophone)
13, rue Saint-Antoine
Sainte-Agathe-des-Monts (Québec) J8C 2C3
819 326-0333
www.cslaurentides.qc.ca

...2

Monsieur Robert Vallerand
Directeur général
Commission scolaire Sir-Wilfrid-Laurier (anglophone)
235, montée Lesage
Rosemère (Québec) J7A 4Y6
450 621-5600
www.swlauriersb.qc.ca

En ce qui concerne les filles, étant donné la nature des services éducatifs que votre établissement leur dispense, nous vous informons qu'en application de la Loi sur l'enseignement privé, vous devez posséder un permis.

Dans les circonstances, vous devez, si vous avez l'intention de poursuivre vos activités, adresser à la ministre, dans les plus brefs délais, une demande de délivrance de permis. Une telle demande devra faire la démonstration que votre établissement entend se conformer au cadre légal et réglementaire s'appliquant aux établissements d'enseignement privés, notamment en ce qui concerne la qualification des enseignants.

Pour en savoir plus sur le cadre légal et réglementaire s'appliquant aux écoles privées, vous êtes invité à consulter le site suivant où vous pourrez, notamment, prendre connaissance de la Loi sur l'enseignement privé et de ses règlements, ainsi que du Régime pédagogique :

www.mels.gouv.qc.ca/dep/Rens.html

Par contre, si vous souhaitez mettre un terme aux activités de votre établissement concernant les filles, vous êtes invité à demander aux parents de ces dernières de les inscrire auprès d'une des deux commissions scolaires mentionnées ci-dessus.

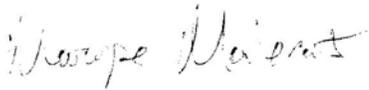
Nous vous saurions gré de donner suite à la présente, dans les dix jours ouvrables de sa réception, en communiquant avec la soussignée, dont les coordonnées figurent au bas de la présente, afin de lui faire part de vos intentions et, le cas échéant, de convenir du moment où votre demande de permis sera transmise.

Afin de valider les informations obtenues lors de la visite, je vous invite à me transmettre, dans le même délai, une liste complète des garçons et des filles de votre communauté âgés de 6 à 16 ans. Cette liste, outre leurs nom et prénom, devra indiquer leur date de naissance, leur adresse ainsi que le nom et prénom de leurs parents, ou de leur tuteur.

Le défaut de répondre à ces demandes pourrait conduire le ministère de l'Éducation, du Loisir et du Sport à transmettre votre dossier au ministère de la Justice afin que ce dernier entreprenne les recours judiciaires appropriés.

Je vous prie d'agréer, Monsieur, l'expression de mes meilleurs sentiments.

La directrice de l'enseignement privé par intérim,



Maryse Malenfant

- c. c. M. Denis Baraby, Direction de la protection de la jeunesse
- M^{me} Josée Desjardins, ministère de l'Éducation, du Loisir et du Sport
- M. Claude Pouliot, Commission scolaire des Laurentides
- M. Mayer Rosner
- M. Robert Vallerand, Commission scolaire Sir-Wilfrid-Laurier

January 19, 2012, Ste-Agathe-Des-Monts

To Mr. **Robert Vallerand**

General Director Sir-Wilfrid-Laurier school board

235 Montee Lesage

Rosemere (quebec) J7A 4Y6

Dear director

I write here on behalf of several families in our community who seek to register to the home schooling program

This is a continuation of the telephone conversation that took place between me and one of your secretary's yesterday.

We thought it would be most helpful if we could get together and discuss the issue, to get some advice along the matter in order to get everything to the best, and find solutions to all problems who might exist or that might arise

I gave my email to the secretary in order to be able to send me some more information about it.

Thank you for your understanding and cooperation

Truly yours



Uriel Goldman

1611 Rue. Marinier, Ste-Agathe-Des-Monts QC J8C 3E3

819-323-2205, uygoldman@gmail.com

Ste-Agathe-des-Monts le 20 Janvier 2012

A L'attention de Mme Maryse Malenfant.

Chère Madame la directrice,

Nous avons pris connaissance de votre lettre que nous avons étudiée soigneusement.

Je me permet des vous signaler que dans le cadre de la communauté, seuls les enseignements religieux sont dispensés, sans aucune discrimination entre garçons et filles, les parents étant personnellement responsables d'enseigner les matières séculières.

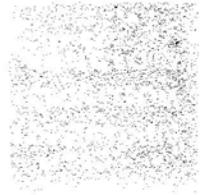
Nous sommes sur le point de contacter la Commission Scolaire responsable et avons avisé les parents de se renseigner et de s'y inscrire.

Nous aidons actuellement les parents dans ces démarches et collectons les informations que vous nous avez demandées concernant les enfants entre 6 et 12 ans.

Je vous prie d'agréer, Madame la directrice, l'expression de mes sentiments distingués.

Signé Mr Uriel Goldman:

Yann Bernard
Direct line: 514 282-7838
E-mail: yann.bernard@lkd.ca



May 3, 2012

Mr. Mayer Rosner
SOCIETY OF SPIRITUAL DEVELOPMENT
561, des Bouleaux Street
Sainte-Agathe-des-Monts, Quebec J8C 3H5

RE: Consultations générales
Our file: 335407-001

Dear Mr. Rosner:

Please find enclosed our final account for professional services rendered and disbursements incurred in the above-captioned matter.

Please note that no payment is required since you left us with the required amount when we met.

Yours very truly,

Langlois Kronström Desjardins
BARRISTERS & SOLICITORS LLP

1002 Sherbrooke Street West
9th Floor
Montreal, QC
Canada H3A 3L6
Tel: 514 842 9512
Fax: 514 845 6573

801 Grande Allée West
Suite 300
Quebec City, QC
Canada G1S 1C1
Tel: 418 650-7000
Fax: 418 650-7075

5750 Étienne-Dallaire Blvd.
Suite 205
Lévis, QC
Canada G6V 8V6
Tel: 418 650-7000
Fax: 418 838-5518

Yann Bernard
YBS/vs

Encl.

LANGLOIS
KRONSTROM
DESJARDINS

April 26, 2012

SOCIÉTÉ DE DÉVELOPPEMENT SPIRITUEL / SOCIETY OF SPIRITUAL DEVELOPMENT
561, rue des Bouleaux
Sainte-Agathe-des-Monts (Québec) J8C 3H5

GST #: R133450874
PST #: 1006584311

INVOICE

Statement # 0000535497
File # 335047 . 1 (Y.B.)
Consultations générales

FEES	\$ 304.42
DISBURSEMENTS	
Taxable Disbursements	\$ 0.00
Non Taxable Disbursements	\$ 0.00
SUB-TOTAL	\$ 304.42
GST (5 %)	\$ 15.22
PST (9,5 %)	\$ 30.36
TOTAL INVOICE	\$ 350.00
Trust applied	(\$ 350.00)
TOTAL DUE	\$ 0.00

Ce compte est payable sur réception. Des intérêts seront chargés sur tout montant impayé après 30 jours. Le taux d'intérêt est 18 % par année.
Invoices are due upon receipt. Interest will be charged on all amounts owing over 30 days. The interest rate is set at 18% per year.

Langlois Kronström Desjardins
S.E.N.C.R.L., AVOCATS

1002, rue Sherbrooke Ouest
28^e étage
Montréal (Québec)
Canada H3A 3L6
Téléphone : 514 842-9512
Télécopieur : 514 845-6573

801, Grande Allée Ouest
Bureau 300
Québec (Québec)
Canada G1S 1C1
Téléphone : 418 650-7000
Télécopieur : 418 650-7075

April 26, 2012

Société de développement spirituel / Society of Spiritual Development
361, rue des Bouleaux
Sainte-Agathe-des-Monts (Québec) J8C 3H5

GST #: R133450874
PST #: 1006584311

Statement # 0000535497
File # 335047 . 1
Consultations générales

Page 1

ACCOUNT DETAILS

FEES

2012-03-26 Meeting with Rabbi Mayer Rosner and Mr. Uriel
Goldman.

Total Fees \$ 304.42

DISBURSEMENTS

Total Disbursements \$ 0.00

SUB-TOTAL \$ 304.42

GST (5 %) \$ 15.22

PST (9,5 %) \$ 30.36

TOTAL INVOICE \$ 350.00

Exhibit F

Ontario Court of Justice

(Name of Court)

261/13at **425 Grand Avenue West, Chatham ON N7M 6M8**

(Court office address)

Form 14A: Affidavit (General)dated **January 06, 2014****Applicant(s)**

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>
Chatham Kent Children's Services 495 Grant Avenue West Chatham, ON N7L 1C5 Tel: 519-352-0440; Fax: 519-351-2367	Loree Hodgson Harris Barrister & Solicitor Chatham Kent Children's Services 495 Grant Avenue West Chatham, ON N7L 1C5 Tel: 519-352-0440; Fax: 519-351-2367

Respondent(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>
JOSEF SOLEIMANI SIMA TWEK	Christopher Knowles Barrister & Solicitor 518 Victoria Avenue Windsor, ON N9A 4M9 Tel: 519-252-0529; Fax: 519-255-1719 chris.knowles@mdirect.net Solicitor for the Respondent Parents

My name is

(Full legal name)

Henri Primeau**I live in**

(municipality and province)

City of Dorval, Province of Quebec**and I swear/affirm that the following is true:**

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. I am a Certified Real Estate Broker.
2. I was very much involved in the relocation of the Lev Tahor community from Sainte-Agathe-des-Monts, Quebec to Chatham-Kent, Ontario. I have collaborated with them on this move from the initial stages to their actual move which occurred on November 17, 2013.
3. Contrary to media reports and the reports of the DYP, I would like to stress two points:
 - (a) The actual reason for the move of the community, was due to the restrictions on their religious practices, specifically the restrictions pertaining to the education of their children, of which the Quebec education act was and is not in line with the religious beliefs of the community.
 - (b) The organizational skills shown during the transition and the meticulous details considered during the moving period have been nothing short of phenomenal. The move has been extremely well coordinated long before the overnight trip to Ontario.
4. I know the Directors of the Lev Tahor community, Mr. Mayer Rosner and Mr. Uriel Goldman, for at least three years.

dated January 06, 2014

5. I know Mr. Nachman Helbrans since April 2013.
6. On April 3, 2013, I have conducted a meeting with Mr. Mayer Rosner and Mr. Nachman Helbrans at the office of the Lev Tahor community then-located at 571 Rue Des Bouleaux, Sainte-Agathe-Des-Monts, Quebec. (See **Exhibit "A"**).
7. In the meeting I was requested to find a suitable alternative for the community within the provinces of Ontario and/or Manitoba.
8. I was told by them that the reason the community is contemplating relocation, is due to the pending outcome of the negotiation between themselves and the Ministry of Education.
9. This meeting took place four (4) months before the community has been raided by the DYP and social services, which according to Mr. Rosner's account happened on the morning of August 7, 2013
10. This meeting has been the starting point for my quest to find a suitable living alternative for the community in another province.
11. During the 7 months between the initial meeting on April 2013 and the final move on November 2013, there were hundreds of conversations between me and the directors of the Lev Tahor community regarding their plan to move and purchase property.
12. On April 22, 2013, I have met with Mr. Mayer Rosner and Mr. Nachman Helbrans again at their office (See **Exhibit "B"**). At the meeting I have presented to them a few properties for that may interest them.
13. After countless hours of work on the project with minimal results, and due to the uniqueness of the requirements and circumstances surrounding it, I have placed several advertisements in the popular media outlets. Among them are listed as follows.

Cornwall Newspaper, July 12, 2013;

Tribune Express Hawkesbury, July 12, 2013;

Vision Rockland, July 12, 2013;

Ottawa Citizen, July 26, 2013;

Toronto Star, August 13, 2013.
14. I quote the wording in the classified ad:

"Religious Community of more than 250 persons (42 families) from Quebec. Would like to move to Ontario in 2013 or 2014. Searching for a existing property large enough with a community center with few houses (20 to 30) nearby. They could rent or buy. Henri Primeau, Broker, 514-217-9362 hep85@hotmail.com".
(See **Exhibits "C"**).
15. Since that meeting we have traveled (respectively) to various locations that were of interest and possible locations for the community's relocation.
16. Here is a list of the localities with the proposed properties that we have visited to consideration: Belleville, Brighton, Brockville, Chatham, Hawkesbury, Morrisburg, Peterborough, Picton, Smith Falls, and Vanclclick Hill.

dated January 06, 2014

- 17. The property where the community currently resides at 24493 St. Clair Rd, Chatham-Kent, Ontario, has been visited with the real estate Agent Mr. Van Dike by me and directors of the community on October 30, 2013 (See Exhibit "D").
- 18. On the same day we have visited officials from the municipality of Chatham-Kent to discuss the expansion and other zoning related issues.
- 19. On November 14, 2013 I received a call from Mr. Mayer Rosner. He stated that the issue with education has forced the community to move ahead with their plans and move to Ontario. He then asked me to fill all the vacancies in Chatham Ontario, at the location we have previously visited on October 30, 2013 for consideration.
- 20. From the moment I got off the phone with Mr. Rosner, I was feverishly working against the clock to procure all the available vacancies for community. By midday Friday, I happily confirmed that there were many residences available by the following Monday, with even more available by the following couple of weeks.
- 21. I went out hunting that Saturday, the following Sunday afternoon I received notice from Mr. Rosner that busses have been booked and all was arranged for the move to Chatham, Ontario.
- 22. Since December 16, 2013, I currently hold a contract for the sales of all Quebec properties belonging to the community members, most of which are listed on the MLS.
- 23. I feel it is my duty to mention that I have been working with the community for quite a while, and I must compliment and say that they are upstanding, straight and honest individuals, and is truly a pleasure to deal with them.

I SWEAR THAT THE ABOVE AND FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

Put a line through any blank space on this page.

Sworn/Affirmed before me at:

DORVAL, I
(municipality)

in Province of Quebec, CANADA
(province, state or country)

on January 06, 2014
(date)

Me Joiaa ANGHEL, ROTARY
Commissioner for taking affidavits
 (Type or print name below if signature illegible.)


HENRI PRIMEAU
(This form to be signed in front of a lawyer,
 justice of the peace, notary public or commissioner
 for taking affidavits.)



**THIS IS EXHIBIT "A" TO THE
AFFIDAVIT OF HENRI PRIMEAU
SWORN THIS DAY OF JANUARY, 2014.**

April • Avril

1

Monday • Lundi

91-274

Easter Monday • Lundi de Pâques

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173-75 du Manon
Ile St-Jovard

Encaisse chèques
de St-Jérôme

Guy Bibeau
802-0092

Mario Destouni
514-885-7076

R. Allard: re-offre

Mélanie: 514-712-7626

Marc Bibeau
1617 Lecuyer St-Michel
450-454-7855

(Terre: Girard Larive
1940 Prime.
450-454-3822

42

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Tuesday • Mardi

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Claude Milot:
Maison St-Sauveur

Allard 453-3337

J-Paul Rivest
L'AVAL

Ticket: Mike Ferry - com
Séminaire (MPL) 927-8263
parler à Yelena Markovskaya
CIBC succ. centre ville
562-6308 viewpoint

Mélanie
2355 #403, Bojato
Sue Lebel

54

3

Wednesday • Mercredi

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*Terre à St-J.

Update Kijiji

M-Rosner
re! 2 troupes
subs. 0/12

262

A P R

January 2013 Janvier

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February 2013 Février

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March 2013 Mars

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April 2013 Avril

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**THIS IS EXHIBIT "B" TO THE
AFFIDAVIT OF HENRI PRIMEAU
SWORN THIS DAY OF JANUARY, 2014.**

April • Avril

Margarettha 514-659-5...

22

Monday • Lundi

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23

Tuesday • Mardi

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24

Wednesday • Mercredi

114-251

7:00	Earth Day • Journée de la Planète	7:00		7:00	Administrative Profession
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January 2013 Janvier

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February 2013 Février

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March 2013 Mars

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April 2013 Avril

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June 2013 Juni

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23	24	25	26	27

**THIS IS EXHIBIT "C" TO THE
AFFIDAVIT OF HENRI PRIMEAU
SWORN THIS DAY OF JANUARY, 2014.**



Toronto Star Newspapers Limited
 One Yonge Street
 Toronto, Ontario M5E 1E6

31-Aug-13

Agency No	Account No
	071664994

Manual Invoice

Please Pay This Amount
0.00

Les Immeubles Henri Primeau Inc.
 335 Elie De Bellefeuille
 Dorval, QC.
 H9S 5V6

31-Aug-13

Page	Agency No	Account No
1	0	071664994

Job Number	Issue or Exp Date	Page No./ Ad Class	Pub Code	Description	Pricing		Advertising Charge	TAX	Total
					Rate	Unit			
8/10/2013		897812		Balance Forward Batch - Total Amt Applied Cash and Adj			301.42-		0.00 301.42-
585929 003	1-Aug		ZNET	2071198 Religious P/O2071198 Internet			6.00	0.30	6.30
585929 002	1-Aug	158	ZCLA	2071198 Religious P/O2071198		Sup/Sell	281.05	14.07	295.12
585929 001	8-Aug	158	ZCLA	2072365 Religious Adjustment			903.98		
							903.98-		0.00
				Sat			1@14.08		11
							287.05	14.37	301.42

Accounts Payable When Rendered

ACCOUNT INQUIRIES: 416-869-4736
 FAX NUMBER: 416-869-4049

Current	Over 30 days	Over 60 days	Over 90 days	Balance
				\$ 301.42

*OK
 déjà payé
 par
 conte.*

INSTRUCTIONS / TERMS
INSTRUCTIONS / CONDITIONS

1. If you have any questions regarding your invoice please call us at (888) 552-4550 or fax us at (416) 442-3376 / Pour toute question concernant votre facture, veuillez communiquer avec nous par telephone (888) 552.4550 ou par telecopieur (416) 442-3376
2. To place a classified ad, please call/ Pour faire publier une annonce classée, appelez le (613) 829-9321.
 Fax number / Telecopieur (613) 596-3619
 Toll Free No./Nos sans frais 1-800 267-6100
3. This invoice applies to this ad only and is not accumulated with any other charges you may have. - Cette facture s'applique seulement a' cette annonce et n'est pas une accumulation avec d'autres frais.
 GST/HST 81468 9469 RT0001

LES IMMEUBLES HENRI PRIMEAU INC
 PRIMEAU, HENRI
 335 ELIE DE BELLEFEUILLE
 DORVAL, PQ H9S 5V6

00037

INVOICE / FACTURE

START DATE	EXPIRY DATE	AD NUMBER	DESCRIPTION	SALES CLASS	UNITS	TIMES	RATE	AMOUNT
DEBUT DE	NUMERO DE	NO DE	DESCRIPTION	VENTE TYPE	UNITES	DUREE	TAUX	MONTANT
PARUTION	FACTURE	L'ANNONCE						

26-JUL-13	02-AUG-13	CG797436	Religious Commu	897 1305	11L	8		320.00
			GST					16.00
			TVQ/QST					31.92
			PAYMENTS					-367.92

INSERTION DATES: JUL/JUIL 26, 27, 29, 30, 31
 AUG/AOUT 1, 2

TOTAL THIS INVOICE / TOTAL DE CETTE FACTURE: 0.00

TERMS / CONDITIONS
 DUE WHEN RENDERED - PAYABLE DES RECEPTION

KEEP THIS PORTION FOR YOUR RECORDS
 CONSERVER CETTE PARTIE POUR VOS DOSSIER

PLEASE RETURN THIS PORTION WITH PAYMENT
 TALON A RETOURNER AVEC VOTRE PAIEMENT

THIS ACCOUNT IS NOT PAYABLE AT YOUR BANK

METHOD OF PAYMENT

09-AUG-2013

PAYMENT ENCLOSED



INVOICE / FACTURE

Acct.No./No de compte: 9à767997
 LES IMMEUBLES HENRI PRIMEAU INC

SIGNATURE (REQUIRED WHEN CHARGED)										EXPIRY DATE	
										/	

Ottawa Citizen
 C/O Postmedia Payment Centre
 1450 Don Mills Road
 Toronto ON M3B 2X7

Inv.No./No de facture: 3115995 Date/Arret de Parution: 02-AUG-13
 Tel No. / No tel : (514)217-9362

TOTAL THIS INVOICE/TOTAL DE CETTE FACTURE SEULEMENT

0.00

AMOUNT PAID/MONTANT PAYE

200000000003115995432190964070607090907677107090704030600000000

COMPAGNIE D'ÉDITION ANDRÉ PAQUETTE INC.**1100 Aberdeen, P.O. Box 1000, Hawkesbury, ON K6A 3H1**Le Carillon / Tribune-Express
L'Argenteuil / Tribune-Express
Le Reflet / The News
Le/The Journal
VisionP.O. Box 1000, Hawkesbury, ON K6A 3H1
52 Principale, Lachute, Qc J8H 3A8
C.P. 1170, Embrun, On K0A 1W0
625 ch. Montreal Rd, Cornwall, On K6H 1C3
P.O. Box 897, Rockland, On K4K 1L5613 632-4155
450 562-2494
613 443-2741
613 938-1433
613 446-6456**FACTURE**

CLIENT 2179362	DATE 12/07/2013
NO FACTURE CL077373	MONTANT DÛ 0.00

LES IMMEUBLES HENRI PRIMEAU INC
335 ELIE DE BELLEFEUILLE
DORVAL, ON H9S 5V6**MONTANT PAYÉ****RETOURNER CE TALON AVEC VOTRE REMISE****COMPAGNIE D'ÉDITION ANDRÉ PAQUETTE INC.****Client****Date****No facture**

2179362

12/07/2013

CL077373

Annonce : 82973 **Rubrique :** 11 **DIVERS ESPACES****Vendeur :** SP **Taille :** 52 Mots**Texte :** COMMUNAUTÉ RELIGIEUSE DU QUÉBEC, de + de 250 personnes, veut se relocaliser en 2014 dans l'Est de l'Ontario. Recherche grand immeuble pour un centre communautaire avec maisons résidentielles à proximité. Un terrain de 20 à 50 acres voisin de l'emplacement pour construction future devrait faire partie du projet; Henri Primeau, courtier (514)217-9362.**Début - Fin :** 17/07/2013 - 17/07/2013 **Insertions :** 1 **LE CARILLON** 12.24**Début - Fin :** 17/07/2013 - 17/07/2013 **Insertions :** 1 **LE JOURNAL DE CORNWALL** 13.96**Début - Fin :** 18/07/2013 - 18/07/2013 **Insertions :** 1 **LE REFLET / NEWS** 11.35**Début - Fin :** 19/07/2013 - 19/07/2013 **Insertions :** 1 **TRIBUNE EXPRESS HAWKESBURY** 11.35**Début - Fin :** 18/07/2013 - 18/07/2013 **Insertions :** 1 **VISION ROCKLAND** 11.35**TOTAL :** 60.25**TPS :** 7.83**TVQ :** 0.00**VISA AJUSTEMENT :** 0.0012/07/2013 **PAIEMENT :** 68.08**MONTANT DÛ :**

CETTE FACTURE EST PAYABLE DÈS LA RÉCEPTION

CONSERVER POUR VOS DOSSIERS

Ad Preview (Not to scale):
 Shown larger than actual size

IF ANY CREDIT CARD DETAILS ARE REQUESTED BY POSTMEDIA, THE ACCOUNT NUMBER WILL BE REFERENCED AS A SECURITY CONFIRMATION.

Proof for Ad # 797436

Customer Info

Name: LES IMMEUBLES HENRI PRIMEAU INC
 Account Number: T767997
 Phone: (514) 217-9362
 Address: 335 ELIE DE BELLEFEUILLE
 DORVAL, PQ
 H9S5V6

Billing Info

PO Number: *
 Actual Size: 1 col x 1.21 in
 Size For Costing: 1 col x 1.16 in
 Ad Cost: \$320.00
 Taxes:
 GST: \$16.00
 QST: \$31.92
 Total Cost: \$367.92
 Sales Rep: Ryan W.

Schedule

<u>Publication</u>	<u>Classification</u>	<u>Issue Count</u>	<u>Run Dates</u>
Ottawa Citizen	Business Opportunities	7	7/26/2013 To 8/2/2013
Digital Classifieds	Business Opportunities	8	7/26/2013 To 8/2/2013

Ottawa Citizen Ad Preview: Your ad appears on the next page. Ad displayed may not appear at actual size.

Religious Community of more than 250 people (42 families) from Quebec would like to move to Ontario in 2013 or 2014. Searching for an existing property with a community centre and a few houses (20 to 30) nearby. That they could rent or buy. Henri Primeau, Broker, Adresz **514-217-9362**

C797436

**THIS IS EXHIBIT "D" TO THE
AFFIDAVIT OF HENRI PRIMEAU
SWORN THIS DAY OF JANUARY, 2014.**



Exhibit G

at **425 Grand Avenue West, Chatham ON N7M 6M8**

(Court office address)

Form 14A: Affidavit (General)

dated _____

Applicant(s)*Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Chatham Kent Children's Services
495 Grant Avenue West
Chatham, ON N7L 1C5
Tel: 519-352-0440; Fax: 519-351-2367***Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Loree Hodgson Harris
Barrister & Solicitor
Chatham Kent Children's Services
495 Grant Avenue West
Chatham, ON N7L 1C5
Tel: 519-352-0440; Fax: 519-351-2367****Respondent(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***JOSEF SOLEIMANI

SIMA TWEK***Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Christopher Knowles
Barrister & Solicitor
518 Victoria Avenue
Windsor, ON N9A 4M9
Tel: 519-252-0529; Fax: 519-255-1719
chris.knowles@mdirect.net
Solicitor for the Respondent Parents****My name is**

(Full legal name)

Malka Rosner (Morgenstern)**I live in**

(municipality and province)

City of Chatham, Province of Ontario**and I affirm that the following is true:**

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. I, Malka Rosner, a 37 year old mother of nine children; am here to testify the following facts pertaining to the trip we had on Nov 17, 2013 from Quebec to Chatham-Kent, Ontario. I am reflecting to the testimony of the social worker Suzanne Tye from Quebec, at the court of Quebec on November 27, 2013, regarding the so-called "hurried departure". (I am attaching as **Exhibit "A"** the transcript of her testimony for reference).
2. I must say the trip was organized beyond all my expectations; there was a very special comfortable bus provided for the nursing mothers and their babies.
3. Our bus was supplied with a toilet (please see **Exhibit "B"**).
4. My baby Elyah was on Nov 17 eight months old; he was very relaxed and calm the entire trip. I did not give him Melatonin or any natural relax or sleep aid prior to the trip, nor am I aware of my friends using melatonin for their children, but I am here to testify for myself. (I don't oppose Melatonin nor a natural relaxer, the community Lev Tahor did not manufacture it or discovered it – it is produced by big vitamin natural supplement companies, but actually I do not give it to my children).

dated

5. The bus driver also told us that our babies are very calm, and actually she was not the first one who said it. The babies were calm not from natural relaxers, but from well experienced mothers. (My baby Elyah was born in the Sainte-Agathe Hospital; he was very calm and content baby. The nurse told me "All the babies in your community are very calm babies; it must be that you know how to handle babies the right way".)
6. My baby Elyah was sleeping most of the time during the night, and in the morning he was calm and happy. He looked out of the windows and was singing to himself hmm... hmm... for a long time.
7. The mothers were changing diapers for their babies on the way, maybe the driver didn't notice it because we wear wide shawls that covers easily, and we don't tend to change the diapers in way that is visible to everyone around. I changed Elyah a few times during the trip; I also took along in my handbag a diaper rash cream in case I won't change my baby so often and my baby's skin will become irritated. I also took along a thermos with warm water so I can make him warm bottles, teethers, and clothes to change. I saw other mothers took along the same or similar stuff.
8. The bus made about five (5) stops in rest areas, which are when I took the dirty diapers to the garbage. Also before we left the bus one woman went around collecting all the dirty diaper bags.
9. As I said in Paragraph 3, there was a toilet on our bus; however, we still used the Onroute services. The young children also went to the washrooms by the stops.
10. From all the stops I remember the exact location of the first stop. It was at Bainsville, ON, about 1 km after the border between Quebec and Ontario.
11. I have attached as **Exhibit "C"** two (2) pictures taken at two different stops, where one can see parents and kids going and coming to and from the service buildings. However, we also took along zip lock bags in case the kids will need to go during the trip between stops.
12. I prepared for the trip jars of chick peas salad, jar egg salad, vegetable knishes, lemon cookies, and crackers. My friend next to me was eating *gefilte fish* (Stuffed fish) and popcorn.
13. When we left the bus at our final destination, the bus driver told me "I never had the bus left so clean like your people left it".
14. As the bottom line I would like to mention that the trip was very happy and pleasant for all of us; we knew that we made the right decision.
15. I am ready to testify all this in court in front of a judge.

Put a line through any blank space on this page.

dated

Affirmed before me at:

[Redacted]

(municipality)

in Province of Ontario

(province, state or country)

on January 06, 2014

(date)

*Commissioner for taking affidavits
(Type or print name below if signature illegible.)*

MALKA ROSNER

*(This form to be signed in front of a lawyer,
justice of the peace, notary public or commissioner
for taking affidavits.)*

**THIS IS EXHIBIT "A" TO THE
AFFIDAVIT OF MALKA ROSNER
AFIRMED THIS DAY OF JANUARY, 2014.**

SUZANNE TYE

Social worker

Yes. Shira is eleven and ...

THE JUDGE

And Yeshivia?

SUZANNE TYE

Social worker

Yes, fourteen.

THE JUDGE

Fourteen.

SUZANNE TYE

Social worker

So Tahila and Yeshivia are considered at risk.

DANIEL VILLENEUVE

Counsel for the applicants

When the application was prepared and filed last November 14, the measures that we were seeking were to keep the children in their families. We believed at that point that that we were able to work on correcting some aspects of the community lifestyle through the families. What has changed since then?

SUZANNE TYE

Social worker

It was the hurried departure of the families that worried us greatly. That certainly changed any question of collaboration that we thought that we had with them, everything that they had promised us, that they said that they would put in place, and we finally realised that there was nothing of that ... nothing was going to come of it.

The voyage in the bus, Your Honour, the children in that ... when they left, we received information from the bus drivers that was very worrisome. That ...

THE JUDGE

What was that?

SUZANNE TYE

Social worker

Yes, what we were told was that, well, those children spent fourteen hours in the bus. There was a man, when they got on the bus, we don't know who he was, but there was a man who said to the driver: "Nobody gets off this bus. You don't open the door."

She saw the children urinating in Ziploc bags. No baby's diapers were changed.

The driver noticed along the way that there seemed to be more babies than there were at the beginning, and she imagined that there were probably babies who had been hidden under the women's clothing because the order was to have no more than one person per seat. The children and the mothers didn't eat more than bread crusts.

At the beginning, it is said that the children were crying, the children seemed terrified, what she said, and another driver said the same thing, they were surprised by how calm the children were.

She said: "It's incredible, those children there ... I've never seen children quiet like that."

THE JUDGE

Am I to understand that the bus drivers were not members of the community?

SUZANNE TYE

Social worker

No, Your Honour, they were employees of the bus companies.

And that worried us when we heard this because we know ... I know that this is ... I am telling you ... well, in fact no, I was going to say, I'm speaking more of the Hayon file, but here no, because everyone was in the bus.

Among the Soleimani children, several children confirmed that they took Melatonin several times a day. This is information that we already had. Melatonin is a natural product, but it helps for sleeping.

And so there are children who confirmed taking it during the day. The parents ... certain parents have confirmed that they give it, but just at night to their children. Others have confirmed giving it, but just when there are holidays and when the children's schedule is upset, they give it to them so they will be more calm.

When we read that, it's sure that we wonder if those children were medicated in order to be calm in the bus.

JEAN GAUTHIER

Counsel for the children

If you will allow me, Your Honour, it is because the witness seems to be referring to a document, she just said: "When we read this." And I would like to know if this document is available, if it can be filed with the Court. At this point it would seem that this document is pertinent and admissible as evidence. It reflects and resumes in a way the

**THIS IS EXHIBIT "B" TO THE
AFFIDAVIT OF MALKA ROSNER
AFIRMED THIS DAY OF JANUARY, 2014.**



986 des Lacs
 Saint-Jérôme (Québec) J5L 1T4
 Téléphone : 450-438-8363
 Télécopieur : 450-438-9706

CONTRAT DE LOCATION D'AUTOBUS BUS CONTRACT

NIR : R-505078-7



Clients divers

N° DE LA T.P.S. G.S.T. NUMBER	N° DE PERMIS LICENCE NUMBER	DATE DE LA FACTURE INVOICE DATE	N° FACTURE CONTRACT NO.
R100673417	2-M-00243	17-nov.-13	34603

N° SOUMISSION REQUISITION NO.	DATE DE LA SOUMISSION REQUISITION DATE	N° DE LA COMMANDE YOUR ORDER NO.	PAR BY
0			Dom

CHAUFFEUR DRIVER	TRAVERSIER TOLLS	COUCHER OVERNIGHT
DENT, Kim	exclus	exclus

POUR LE
 COMPTE DE
 CHARGED TO

COMMANDÉ PAR ORDERED BY	N° CLIENT CUSTOMER NO.	N° TÉLÉPHONE (BUREAU) OFFICE TEL.	N° TÉLÉPHONE (RÉSIDENTE) HOME TEL.	A CREDIT CREDIT	ARGENT CH. CERT. CASH	CHEQUE AV. DEP. P.P.
	9999			X		

NOMBRE VÉHICULE QUANTITÉ	N° VÉHICULE BUS NO.	CLASSE CLASS	CAPACITÉ CAPACITY	QUALITÉ QUALITY
3	2506	27	Autocar 56	Toilette, A/C, TV-DVD

DÉPART DE DÉPARTURE	JOUR DAY	DATE DATE	HEURE TIME
571 rue des Bouleaux @Ste-Agathe	Dimanche	17-nov.-13	23:59

MONTANT AMOUNT 8 393.13 \$ ESCOMPTE DISCOUNT 0.00 \$ AUTRES FRAIS OTHER CHARGES 0.00 \$ SOUS-TOTAL SUB-TOTAL 8 393.13 \$ T.P.S. G.S.T. 419.66 \$ T.V.Q. G.S.T. 837.22 \$ SOUS-TOTAL SUB-TOTAL 9 650.01 \$ ACOMPTE DEPOSIT 0.00 \$ TOTAL 9 650.01 \$
--

DÉPART DE DÉPARTURE	JOUR DAY	DATE DATE	HEURE TIME
Chatham-Kent (22493 Ste-Clair)			

RETOUR A RETURN AT	JOUR DAY	DATE DATE	HEURE TIME
aucun	Dimanche	17-nov.-13	

tél:514-632-0931 ou 819-323-2600
Je te remplace : Toute la journée
Chauffeur Je 785.31
SVP ne pas oublier d'indiquer votre temps et votre KM

ALLER	HEURE DÉPART DEPARTURE TIME	
	HEURE RETOUR RETURN TIME	
	NOMBRE D'HEURE(S) NUMBER OF HOUR(S)	
	ODOMÈTRE ARRIVÉE ODOMETER ARRIVAL	
GOING	ODOMÈTRE DÉPART ODOMETER DEPARTURE	
	NOMBRE DE KM NUMBER OF KM	
	SIGNATURE	
	N° VÉHICULE / VEHICLE NO.	N° DE L'EMPLOYÉ

RETOUR	HEURE DÉPART DEPARTURE TIME	
	HEURE RETOUR RETURN TIME	
	NOMBRE D'HEURE(S) NUMBER OF HOUR(S)	
	ODOMÈTRE ARRIVÉE ODOMETER ARRIVAL	
RETURN	ODOMÈTRE DÉPART ODOMETER DEPARTURE	
	NOMBRE DE KM NUMBER OF KM	
	SIGNATURE	
	N° VÉHICULE / VEHICLE NO.	N° DE L'EMPLOYÉ

Page 1 sur 1 15 novembre 2013	SIGNATURE DU LOCATAIRE / LESSEE	Total heures :
SIGNATURE DU VOITURIER / CARRIER	JE / I	
RECONNAISSANT QUE LE CONTRAT DE TRANSPORT CI-DESSUS A DÛMENT ÉTÉ EXÉCUTÉ ET RENVOIE DE L'AUTOBUS. ACKNOWLEDGE FULFILLMENT OF SERVICE CONTRACTED FOR, AND HEREBY DISMISS BUS NOTED HEREON.		

**THIS IS EXHIBIT "C" TO THE
AFFIDAVIT OF MALKA ROSNER
AFIRMED THIS DAY OF JANUARY, 2014.**





Exhibit H

Jan 23, 2014

My name is Deb Cook, I am the property manager for Maya Property Management. Over the last few months some of the Jewish families have moved into our buildings here in Chatham, since the families have moved in I have had the chance to meet the children, moms, and dads. My experience with the families has been positive, the children are happy, clean and healthy. The mothers are centered on their children and are dedicated to keeping them happy and healthy. I know there are plenty of people that will disagree with me on this subject and that's ok this is my personal opinion, I myself have not seen or heard anything that raises my concerns, the units are kept clean, the children are fed and well cared for. One of my tenants is Miriam

Jan 23, 2014

Helbrans, I know CAS had taken her 2 children and now the children have been returned to her care. Miriam is a gentle mother takes good care of her 3 children, I have been in her unit on many occasions its clean and tidy. I have other tenants in the buildings that have children that are not clean and the units are filthy, I don't know why CAS isn't involved in these peoples lives. It makes me wonder if Miriam is having all these problems because of who her father is, I also have Miriam's brother living in the building him and his wife are good people. I don't really know much about their father only what I've read, and I've learned in my life you can't believe everything you read. I myself hope that others can see past the differences in the

Jan 23, 2014

Jewish lifestyle and their own and let them live their lives the way they choose. Of course if there are legitimate concerns they need to be addressed in the proper manner, but like I said myself I have only saw positive interaction between the families.

Thank you for taking the time to read my letter, I hope it is helpful in your decisions you will make. If you have any questions please feel free to contact me. 519-784-9295

Deb Cook
Deb Cook