Grenville-sur-la-Rouge municipal councilor Marc-André Le Gris is declared a vexatious litigant

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VANCOUVER, British Columbia, May 18, 2018 (GLOBE NEWSWIRE) -- Marc-André Le Gris, municipal councilor and president of the legal and regulatory affairs, urbanism, human resources, and communications committees of the municipality of Grenville-sur-la-Rouge (“GSLR”), has just been declared a vexatious litigant by the Quebec Superior Court.[1] A vexatious litigant is a person who uses the courts in an excessive and unreasonable manner, and who shows the following traits, as described in paragraph 71 of the judgment:

- He demonstrates stubbornness and narcissism.
- He more often appears as a plaintiff than as a defendant.
- The legal arguments put forward are distinguished by both creativity and incongruity. They are legal in form, but at the limit of the rational.
- Most if not all adverse decisions are appealed, or are the object of requests for review or retraction.
- He represents himself.

In his judgment, the Honorable Daniel W. Payette compiles a partial history of the 28 proceedings launched by Marc-André Le Gris since 2004, including the application of March 17, 2017 for leave to appeal a judicial review judgment and for a mandatory injunction. The object of this procedure by Le Gris was to render zoning by-law RU-902-01 2015 null, and to prevent use and extractive activities in agro forestry zones. Mr. Le Gris’ principal objective with this procedure was to change the municipal regulations so as to block Canada Carbon’s project. Judge Payette writes:

> “This overview, even partial, of the judicial remedies sought by Le Gris demonstrates abusive use of judicial resources. He excessively consumes them to the detriment of other cases subject to the courts’ jurisdiction and the parties involved in them.” (Paragraph 111)

Further on, the Honorable Daniel Payette adds:

> “[…] a declaration of vexatiousness does not depend solely on a knowingly malicious and arrogant use of the judicial system. Abusive, excessive, and repeated utilization of judicial resources suffices; and this is the kind of use Le Gris makes of the judicial system.” (Paragraph 113)

> “He demonstrates stubbornness in continuing his actions by a multiplicity of inventive procedures and managerial requests, while not respecting settled legal contracts. When, in light of a particularly unreasonable request, his case gets more difficult, he drops it. But, by this time, the damage is already done.” (Paragraph 114)

> “He transforms every conflict, however minor, into complex litigation, ignoring the fact that judicial resources are limited.” (Paragraph 115)

The Honorable Daniel Payette also considers that Mr. Le Gris uses the courts for political and personal ends. He writes:

“Le Gris abuses judicial resources for a particularly reprehensible end, namely to attack a political adversary and attempt to reduce him to silence” (Paragraph 127)

“He exploits the courts in the political struggle that he carries out in the municipality.” (Paragraph 117)

In reaction to the judgment, R. Bruce Duncan, Executive Chairman and CEO of Canada Carbon Inc., said: “Since the beginning of the dispute between Canada Carbon and the newly elected representatives of Grenville-sur-la-Rouge, we have been saying that the behavior of municipal councilors, and particularly of Mr. Le Gris, has been misleading, abusive and inappropriate. It is important to remember that Mr. Le Gris is not just a municipal councilor. He holds several key positions as president of the legal and regulatory affairs, urbanism, human resources, and communications committees of the municipality of Grenville-sur-la-Rouge. It should also be noted that even prior to being elected, Mr. Le Gris has been a key member of the S.O.S. GSLR committee, which is opposed to our project. Finally, Mr. Le Gris is an administrator responsible for ‘moderating’ discussions on the *Grenville-sur-la-Rouge News* Facebook page which include discussions concerning the Miller project.”

The judgment rendered on May 14, 2018 by the Honorable Daniel W. Payette has, notably, the following effects:

1. It declares Mr. Le Gris to be a vexatious litigant.
2. It sets up a mechanism whereby he is prohibited from launching any legal proceedings against the municipality of Grenville-sur-la-Rouge or of any of its elected officials or officers, past, present, or future, without prior authorization from the Court’s Chief Justice.
3. It obliges Le Gris to pay former mayor John Saywell the sum of $1,000 in damages and interest and $2,500 in punitive damages.
4. It orders the provisional enforcement, notwithstanding appeal, of paragraphs 135 and 138 to 141 of the judgment (in case Mr. Le Gris should decide to appeal the judgment).

In conclusion, the Honorable Daniel Payette wrote, in paragraph 117 of the judgment, that Mr. Le Gris, in the context of numerous judicial proceedings undertaken, “misused the courts in his political struggle within the municipality.” Mr. Duncan says that, “it is disappointing to note that Mr. Le Gris continues to act in the same way he acted prior to becoming a councilor. Despite launching case number 700-17-014036-171 and losing his attempt to challenge by-laws to block the Canada Carbon project in early 2017, within months of becoming councilor, the GSLR council sent CPTAQ a resolution falsely claiming that the project is not compliant with municipal by-laws.”

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[1] Cour supérieure – District de Terrebonne ; no. : 700-17-013501-167, May 14, 2018 ; Marc-André Le

Gris (plaintiff) v. John Saywell (defendant)

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