

(Chou n FIR)

Received on 20/02/2025

SCHEDULE "A"

Affidavit of Liam Swain

12/12/2025
(Deputy Judge Walker)

I, Liam Swain, of the City of Toronto, in the Province of Ontario MAKE OATH AND SAY

1. I am an articling student at the law firm of SBA Lawyers LLP lawyers for the Defendant, FirstService Residential, and as such had knowledge of the matters contained in this affidavit.

2. The Defendant makes this motion to strike the entirety of the Plaintiff's Claim and amendments thereto and have same dismissed pursuant to Rule 12.02 of the *Rules of the Small Claims Court* O Reg 258/98, on the basis that it discloses no reasonable cause of action and is inflammatory, a waste of time, a nuisance, and an abuse of the court's process.

Pleadings

3. The Plaintiff Yi Chin (Jenna) Chou, filed a Plaintiff's Claim with the Markham Small Claims Court on August 6, 2025. The Plaintiff's Claim makes the following bald allegations

- a. Criminal harassment
- b. Fraud
- c. Wrongful Convictions (Planned); and
- d. Conspiracy (#806-9471, Samit Bradan Velentia, Haza, Atlinson)

Several documents are attached to the Plaintiff's Claim, but no facts are pleaded, and no connection was made between the attachments and the pleadings Attached hereto and marked as **Exhibit "A"** is a true copy of the Plaintiff's Claim filed August 6, 2025

* Judge asked for "statement of claim" said no evidence need to be on the claims yet. (12/12/2025)

where is it?

4 While no facts were pleaded in the Plaintiff's Claim, have reviewed the attachments affixed thereto and note that they refer to events which occurred in 2018 and 2019.

6 A court search was conducted on or around October 6, 2025. The court search indicates and ~~very clearly~~ that as of October 6, 2025 the Plaintiff is involved as the plaintiff in 45 separate actions at the Small Claims Court Attached hereto and marked as Exhibit "B" is a true copy of the Court Search dated October 6, 2025.

Can't search for what? Why wasn't I informed?

6 On October 20, 2025, the Defendant filed a Defence dated October 17, 2025. In it the Defendant pleads that the Defence was served for the purpose of preventing a notation in default without prejudice to the right of the Defendant to bring any motion or take any other steps to have the claim dismissed Attached hereto and marked as

Exhibit C" is a true copy of the Defence dated October 17, 2025.

where is it?

7 At the Settlement Conference on December 12, 2025, the Plaintiff was ordered to amend her Plaintiff's Claim in accordance with Rule 7.01 so that it is "understandable."

Attached hereto and marked as Exhibit "D" is a true copy of the Endorsement Record

Deputy Judge Wallach

Deputy Judge Wallach dated: December 12, 2025

8 On December 16, 2025, the Plaintiff emailed three separate documents which she purported was her amended Plaintiff's claim pursuant to the Endorsement

NOT Dec. 12, 2025 I sent Amended "Statement of claim"

FSR received it but never of interestly

9 These documents are (1) a photograph of a Default Judgment cover page (2) a photograph of a document titled "Chouly v FSR Statement of Claim" and (3) a photograph

confirmed they received it

but an email reply was sent by RM

DEFAMATION TORT

of a document outlining quantum of damages (collectively "Amended Plaintiff's Claim")

Exhibit "E" is a true copy of the "Amended Plaintiff's Claim".

10 The "Amended Plaintiff's Claim" makes bald allegations which include

- a. Falsified Chargeback Statements
- b. Destroying my property rendering my property useless.
- c. Management Harassment
- d. Wrongful Arrest
- e. Wrongful Imprisonment
- f. Wrongful Criminal Charges

54+ emails after JB's suicide in July 2018
 the ones the lockers didn't delete requests for all comm. I w/omit & me have never

11 There was no evidence attached to the "Amended Plaintiff's Claim".

? Pias (where is 11/20/2019 FP?)

12 The Plaintiff did not provide an Affidavit of Service and there is no indication that the "Amended Plaintiff's Claim" was filed with the Court

The Status of the Action

13 I verily believe that the "Amended Plaintiff's Claim" should be struck and/or dismissed pursuant to Rule 12.02(1)(a) and (c) and 12.02(2) 1. of the Rules of Small Claims Court, because it discloses no reasonable cause of action and is inflammatory, a waste of time, a nuisance, and an abuse of the court's process.

14 I further verily believe that the Amended Plaintiff's Claim makes bald allegations without pleading sufficient facts to support such allegations especially with respect to

Where are your (FSR) Evidence??!

Pgh (8) ?
 same as Pgh (2)

provided despite repeatedly asking for evidence that backs up my claim

the more inflammatory allegations which vaguely accuses the Defendant of committing heinous acts such as rape administering noxious substance ("drugging") harassment fraud and imprisonment. Even though the "Amended Plaintiff's Claim" contains more words than its predecessor it is no more understandable. The Defendant cannot adequately respond to this claim given its vagueness and incoherency.

That's your problem not mine!

15 I further verily believe that the Plaintiff's Claim has no reasonable chance of success and is a waste of time given that the Plaintiff has provided no coherent evidence to support her allegations.

It is not incoherent if you understand and stated

I provided the evidence at both police report & Mario Diaz

16 Also all the alleged conduct appears to have occurred in 2018 and 2019. As such her claim would be barred by the two-year limitation period under the Limitations Act 2002 even if they were proven to be true.

2 yrn limitation = DD: Aug B, 2025

17 I further verily believe that the Defendant has incurred costs to defend this action and will continue to do so should the Plaintiff's Claim not be dismissed in its entirety.

R U threatening the Judge?!

18 I make this motion in support of the Defendant's motion to dismiss the Plaintiff's Claim and for no other reason or improper purpose.

Motion to Strike of Limitation be struck sent to court

Court File No. SC-25-00002434-0000

SWORN BEFORE ME in person at the City of Toronto in the Province of Ontario on this 23rd day of December, 2025.

Commissioner for Taking Affidavits
(or as may be)

RYLAND MACDONALD

Purposely filed at wrong Jurisdiction.

"Ryland MacDonald" is NOT the commissioner of

Liam Swain

LIAM SWAIN

Why would the

commissioner be asked for this document

WITHOUT

a proper

TITLE PAGE

&

NO EXHIBITS!

He is not a commissioner

7:44

DD: (Sm) 01/04/2025
69
28 of 86

Jenna's copy

From: Samit Hazra
to: Horacio Vega
Veganboy?
alan.zunder@gmail.com?

From: Samit Hazra <Samit.Hazra@fsresidential.com>
Sent: Monday, November 4, 2019 11:40 AM
To: Maria Deso <Mdeso@finedes.com>
Cc: Ada Clarke <Ada.Clarke@fsresidential.com>; Veganboy <alan.zunder@gmail.com>; Reza Eskandar <Reza.Eskandar@fsresidential.com>; Samit Hazra <Samit.Hazra@fsresidential.com>
Subject: URGENT #907 Aggressive behavior
Importance: High

(M) 11/04/2019 @ 11:40am

Good Morning Maria

Reporting on another incident from this weekend from Unit Owner#907

The Unit Owner#907 was found carrying a large piece of wood (piece of furniture) from her unit. She carried the same in the elevator, walked to the Management Office on Saturday, November 02, 2019 around 5:50 p.m. she passed by a Concierge and then started hitting the Management Office Door with the large piece of wood in a very aggressive manner. Management Offices front door is damaged with dent and paint repair required. Attached is the incident report, still photos and video of hitting the door.

We will email other video footage regarding this incident to Myra for your record and necessary action

always says "unit below 907"

Superintendent mentioned that the staff (Cleaning, Front Desk and Superintendent) working in the building has raised their concern on safety due to the aggressive and violent nature of the resident. Also not to mentioned Management staff in the building are very scared and kept the door locked at all times while working inside

There was also an incident reported from #806 unit below #907 when someone has thrown some speaker pieces on the door of Unit#806 damaged the door (dent) around that time. However we don't have any video footage on this incident, so not possible to confirm who it is.

We have copied Board President in this email

Please advise us on what action the Corporation is taking for the safety and security of the staff in the building.

Thanks
Sam

not me, no evidence, no video of me throwing a speaker I do NOT own around the same time...

My safety was the one in danger

FirstService
SAM HAZRA - RCM - OMRAID GENERAL LICENSEE
2477 Customer Care Center, 855-244-8854

(Original)

Book of Documents of th...

*Samit Hazra
Mario Deo
Jennifer Malchuk
Valenta
John S (2303)*

From: Samit Hazra <Samit.Hazra@fsresidential.com>
Sent: Wednesday, November 20, 2019 4:47 PM
To: Jennifer Malchuk <jmalchuk@finedeo.com>
CC: Mario Deo <Mdeo@finedeo.com>; Ada Clarke <Ada.Clarke@fsresidential.com>; Reza Eskandari <Reza.Eskandari@fsresidential.com>
Subject: FYI - finger print match

FYI - Unit Owner #806 (below unit of 907) informed verbally that the Police Officer (John) got a match on the finger print on the glass for 907 and may take some action on 907.



*No page #
No full name*

*They know each other
well enuf to call
by 1st name basis
who formally address by
the police officer!*

(In Police Report) 09/18/2025
07/13/2025 Toilet flooded

- What happened before Eb started arguing in his quarters? ^{you tell me he was hearing voices?}
- What and where was I & what was I doing most of the time?
- Did you remember me asking you about the "mysterious" coconut oil that was in our condo after Eb's suicide?
- Have I showed you and asked you about "unknown" drinks in our fridge multiple times?
- Have I started changing your water & telling you it was "drugged"?
- Did you remember hearing "PO-DE-CA" and told the police that?
- What other things did you hear until I taped up the vents?
↳ open & ^{fired?} ^{under the bench?}
- How were you feeling when 2303 was asking you about my info?
- Do you remember there's a "zero tolerance policy" of my condo but Eb was drinking behind my back?
- Did Eb ever told you George N. tried to get him to move into his basement so he can continue sexually assaulting me?
^{threats}
- Did George show aggression that scared all of us when we were putting the bookshelves in my room together? And tried to get into my place when I didn't want him to?
- Did I, on multiple occasions, told you I was hearing voices also drugged and exhibited "odd" behavior that I never did? ^{Quint Q is multiple times} pill missing or stolen
- Did I start using aggression after Eb's suicide to deal with the pain we were both going through? Like smashing the glass against the sliding door that reminded us of how terrified we both were after Eb's death?
^(Imprecant)

1

arguing and had... Can you confirm...?

- Did I ever, ever open the sliding door
- Did I ever, ever smashed my plants glass vessels?
- Did I ever, ever smashed glasses to get out my pair of anger & sniff (at the time) before Eb's suicide?
- Did I buy a Huge Beach Mural to cover up the sliding door, with Com's help we put it up for Eb? We never went on the balcony, did we?
- How did you meet me? How did I rescue you & Eb from hellers?
- * Are you ^{confirm (y/n)} diagnosed with ARTIST?
- You gained more weight after Eb suicided right? And even more after I was arrested. We were both grieving. I didn't eat much & suicidal also due to hurt of #806! Do you have comments on how I was arrested? Were you there? How did they get into the condo & my bedroom?
- Did I spend all my OASP \$ on buying everything for you & Eb, including food, toiletries & made a (H) environment ^{on floor mats to prevent cat on balcony?}
- Did I ever, ever shown aggression before Eb's suicide? Which including multiple reports to the police that I was sexually assaulted and me & Eb were going to do something to the perpetrator → George Thibault's voicemail to Eb
- Did I secure your phone ^{with} Madewas the last recording of Eb ever after telling you we were under cyberstalking?
- Did we all (3) of us kept the condo so clean all the time? Got along? Especially after George was banned from the building (ob/s/p/s)
- Can you summarize what happened that made Eb run to the balcony crying after I separated you guys arguing and told Eb to calm down 30 mins? Where was I & studying in my room. Can you confirm? Our place was constantly getting broken into. I reported them but got "APPREHENDED" instead. Do you recall how many times YRP2 arrested me? After Eb?

Are there anything else you remember that would be pertinent to this case?