



Instructions:

For information on how to complete the form, read the [Respondent's Guide](#).

1. Respondent(s) Information (See [Respondent's Guide](#) for details.)

The Tribunal and other organizations or people involved in the Response will need to send materials to you on a regular basis. For this reason, we need your contact information. It is important that you provide the Tribunal with up-to-date contact information.

Type of Respondent *

- Organization Respondent
- Individual Respondent

Last name *	First name *	Middle name
Sharpe	David	



Is this Response filed on behalf of other respondents named in the Application?

- Yes, all respondents.
- Yes, some respondents.
- No

2. Authorizing a Representative (See [Respondent's Guide](#) for details.)

Are you authorizing a lawyer or other representative to act for you? Please note, if you have a lawyer, paralegal or other person acting as your representative, all communication from the Tribunal and the applicant will be sent to that person.

- Yes, I authorize the person named below to represent me.
- No

Last name *	First name *
Kheir	Hatim

Name of organization/firm (if applicable)

Charter Advocates Canada



Type of representative: *

- Lawyer
- Paralegal
- Law Society of Ontario number 79576J
- Other - nature of exemption from licensing requirements (specify details below) ▼

3. Affected Person or Organization Information (See [Respondent's Guide](#) for details.)

If there is any other organization (such as a union or occupational association responsible for collective bargaining) or person who is not already identified as a respondent or union on the Application form and who might be affected by this Application to the Tribunal, provide their contact information here.

If you are providing contact information for more than one affected person, and you are filling this out on paper, attach another sheet of paper with the full contact information for each affected person. Number each page.

Type of Affected Person or Organization

Affected Organization

Affected Person(s)

4. Request for Early Dismissal of the Application without Full Response (See [Respondent's Guide](#) for details.)

4.1 Request for Dismissal without Full Response

Complete this section only if you are requesting that the Tribunal dismiss the Application because one of the three situations below applies. Please check the box that applies.

Note: If you check any of the boxes below, in addition to attaching the document(s) requested, you must provide your argument (s) supporting your position that the Application should be dismissed. The Tribunal may decide your request based only on your submissions.

I request that the Tribunal dismiss this Application because:

A claim based on the same facts has been filed in civil court, requesting a remedy based on the alleged human rights violation. (Attach a copy of the statement of claim and the court decision, if any.)

The applicant signed a full and final release with respect to the same matter. (Attach a copy of the release.)

The issues in dispute in the Application are within exclusive federal jurisdiction.

4.2 Request for Dismissal under s.45.1 of the Code without Full Response

Complete this section only if you are requesting that the Tribunal dismiss the Application because another proceeding has, in whole or in part, appropriately dealt with the substance of the Application. Please check the box below if you are making this request.

Note: If you check the box below, you must attach a copy of the document that started the proceeding and a copy of the decision, in addition to a complete argument(s) supporting your position that the Application should be dismissed.

I request that the Tribunal dismiss the Application because another proceeding has, in whole or in part, appropriately dealt with the substance of the Application. Attach a copy of the decision and the document that started the other proceeding.

5. Request to Defer the Application (See [Respondent's Guide](#) for details.)

5.1 Request to Defer without Full Response (union grievance or arbitration proceeding)

Complete this section only if you are requesting that the Tribunal defer the Application because there is an ongoing union grievance or arbitration.

Note: If you check the box below, you must attach a copy of the document which commenced the grievance, confirm that the grievance or arbitration is ongoing and include argument(s) in support of your position that the Application should be deferred pending the conclusion of the grievance or arbitration. The Tribunal may decide your request based only on your submissions.

I request that the Tribunal defer this Application because:

The issues in dispute are the subject of an ongoing grievance or arbitration brought pursuant to a collective agreement.

5.2 Request to Defer without Full Response (other proceeding)

Complete this section only if you are requesting that the Tribunal defer the Application because the facts or issues raised in the Application are part of another proceeding that is still in progress.

Note: If you check the box below, you must attach a copy of the document which commenced the other proceeding, confirm that the other proceeding is ongoing and include argument(s) in support of your position that the Application should be deferred pending the conclusion of the other proceeding. The Tribunal may decide your request based only on your submissions.

I request that the Tribunal defer this Application because:

The facts or issues raised in the Application are the subject of another proceeding that is still in progress.

6. Responding to the Allegations in the Application (See [Respondent's Guide](#) for details.)

Please summarize the facts and defences that support your Response to this Application.

Please include as part of your Response:

- Any submissions you make that the Application is outside the Tribunal's jurisdiction;
- What allegations in the Application you agree with;
- What allegations in the Application you disagree with;
- Any additional facts that you intend to rely on; and
- Any defences that you intend to rely on.

If you are filling this out on paper and need more space, please add more pages. Please organize your information clearly, using numbered paragraphs. Number each page.

1. [The Respondent, David Sharpe, submits that the allegations contained in the Application fail to disclose any particulars connecting Mr. Sharpe to the impugned posts. This Application is an abuse of the Tribunal's process used to gain political advantage. Accordingly, he will request that the Application be dismissed summarily.](#)
2. [Mr. Sharpe has no involvement with the Grimsby Independent News \(the "GIN"\). He has never posted on the GIN, and he has no log-in access to the Facebook Page.](#)
3. [The entirety of the allegations in the Application are against the GIN. It does not allege any conduct on the part of Mr. Sharpe nor does it allege any connection between Mr. Sharpe and the GIN. Mr. Sharpe denies any such connection exists.](#)
4. [The Applicant, Jennifer Korstanje, is a sitting member of the Grimsby Town Council. Mr. Sharpe is a former member. The Applicant actively campaigned against him in the last election. Mr. Sharpe submits that this frivolous Application has been brought to gain political advantage in advance of the municipal election in 2026.](#)
5. [In the alternative, the conduct complained of in the Application does not constitute reprisal under s. 8 of the Code. Reprisal requires 1\) an action taken against or threat made to the complainant; 2\) the alleged action or threat must be related to the complainant having claimed or attempted to enforce a right under the Code; and 3\) an intention on the part of the respondent to retaliate for the claim or attempt to enforce the right.](#)
6. [The post impugned in the Application is not an "action taken against" the Applicant. It is simply an online post about a proceeding before the Tribunal that sets out a position as to its merits. Section 8 of the Code protects people from punishment for asserting their human rights, it does not shield them from criticism or contradiction. Respondents are entitled to disagree with the proceedings brought against them, to dispute their legal and factual merits, and to communicate their views on the matter. For clarity, Mr. Sharpe denies any connection to the impugned posts but, even on the face of the allegations, they do not make out a case for reprisal under s. 8 of the Code.](#)
7. [Given the absence of any particulars regarding Mr. Sharpe or any connection between Mr. Sharpe and the GIN, the Application, as against Mr. Sharpe, is devoid of merit and ought to be dismissed. Mr. Sharpe requests that the Tribunal hold a summary hearing to dismiss the Application preliminarily.](#)

7. Exemptions (See [Respondent's Guide](#) for details.)

Complete this section only if you are relying on one of the exemptions found in the *Code*.

What exemption in the *Code* do you believe applies to this Application?

Please explain why you believe the exemption applies.

8. Declaration and Signature (See [Respondent's Guide](#) for details.)

Instructions: Do not sign your Response until you are sure that you understand what you are declaring here.

To the best of my knowledge, the information in my Response is complete and accurate.

Respondent's signature (If filing electronically, type your last name, first name.) *

Hatim Kheir on behalf of David Sharpe

Date (dd/mm/yyyy) *

12/03/2026

You must sign and date this Response. Only a licensed lawyer or paralegal can sign this Response on behalf of their client and only after ensuring they comply with the Tribunal's [Practice Direction on Electronic Filing by Licensed Representatives](#).

When you file electronically, typing your name and dating this Response represents your signature. Check the box to confirm you understand and agree to this.

Collection of Information:

The Human Rights Tribunal of Ontario (HRTO) has the right under the *Human Rights Code* and the *Statutory Powers Procedure Act* to collect the information requested on this form to fulfill its legislative mandate. After you file the form, all information related to the proceeding may become publicly available in a tribunal decision, order, or other document, in accordance with Tribunals Ontario's Access to Records Policy and the *Tribunal Adjudicative Records Act, 2019*. Parties wanting records or information to remain confidential must seek a confidentiality order from an adjudicator. If you have questions about confidentiality orders or access to records, please contact us by email at HRTO.registrar@ontario.ca or at 416-326-1312 or 1-866-598-0322 (toll-free).