

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

CHRISTOPHER JUDSPETH and GEORGE SMITHERMAN

Plaintiffs

and

WILLIAM WHATCOTT, JONI WHATCOTT, ADAM ZOMBIE, BRIAN
ZOMBIE, CHRISTOPHER ZOMBIE, DOUGLAS ZOMBIE, EDWARD
ZOMBIE, FRANK ZOMBIE, XYZ CORPORATION, JANE DOES and
JOHN DOES

Defendants

PROCEEDING UNDER *The Class Proceedings Act*, 1992

STATEMENT OF DEFENCE

September 11, 2016

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Defendant (self-represented)
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Lawyer for the Defendant
William Whatcott

STATEMENT OF DEFENCE

1. The defendant admits the allegations contained in the following paragraphs of the statement of claim:

4,
6,
9,
46,
47,
50,
51,
53,
54,
57,
58,
69,
99.

2. The defendant denies the allegations contained in the following paragraphs of the statement of claim:

1 (e) to 1 (h),
1 (k) to 1 (l),
5,
20,
63,
66,
70 to 72,
76 to 87,
89 to 96.

The defendant also denies the allegations contained in the following paragraphs of the statement of claim, but would admit them if the wording was changed as indicated for each paragraph:

- 52, if the expression "mainstream Christianity" were placed in quotes (i.e. the Bible and the Catholic Church clearly condemn sodomy, so a "Christian" who supports sodomy must first be intellectually inconsistent),
- 55, if the word "offensive" was replaced by "deemed offensive by some",
- 56, if the words "offensively anti-gay" were replaced with "deemed offensively anti-gay by some",
- 59, if the words "deceitfully", and "dishonest and unlawful" were struck out, and "hate speech pamphlets" were replaced by "pamphlets deemed by some to be hate speech",
- 62, if the words "attack", "defame" and "despise" were replaced with "inform", "denounce" and "deeply disagrees with",
- 67, if the words "deceitfully and in bad faith" were struck out,
- 75, if the words "hateful, derogatory and deceitful", and the word "fundamentalist" were struck out.
- 88, if the word "offensive" was struck out.

3. The defendant has no knowledge in respect of the allegations contained in the following paragraphs of the statement of claim:

- 1 (a) to 1 (d),
- 1 (i) to 3,
- 7 to 8,
- 10 to 19,
- 21 to 45,
- 48 to 49,
- 60 to 61,
- 64 to 65,
- 68,
- 74,
- 97 to 98.

4. Table of contents:

- A) Housekeeping notes
- B) FIRST DEFENCE: The Defendant never handed out Mr. Whatcott's flyers
- C) SECOND DEFENCE: The only link between Mr. Whatcott's

flyer and the Defendant is "Guilt by color palette"
D) THIRD DEFENCE: The actions of the Plaintiff's lawyer
constitute an implicit admission that the Defendant's
flyer is Charter-protected free speech
E) Conclusion

A) Housekeeping notes

5. Evidence. "Google is my Exhibit A", and everything discussed here can be easily found with an Internet search engine (as of this writing). Direct hyperlinks are also supplied, e.g. this Statement of Defence is at the following URL:

www.inquisition.ca/corr/elliott_douglas.htm#s9

6. Timeliness. The timestamp on the Statement of Claim is 19/8/16 at 09h40, served by Mr. Denis Vanasse, Huissier de Justice. This having occurred in a province other than Ontario, the Statement of Defence had to be served and filed before Sept. 28, 2016 (forty days).

7. The "Defence E-mail". Before the hardcopy of the Statement of Claim was legally served, the Defendant had already sent an e-mail on 2016-August-16, to both the Court (via Ms. Elphinstone) and the Plaintiff's lawyer Mr. Elliott, giving, in layman's terms, most of the material facts relied on by way of defence. This will henceforth be referred to as the "Defence E-mail". The only changes made to it were to consecutively number its paragraphs, starting with the last number of this Statement of Defence. It is available electronically here:

www.inquisition.ca/corr/elliott_douglas.htm#s6

8. The only other major "external" document this Statement of Defence will refer to, is the letter sent to the Canadian Minister of Families, Children and Social Development, the Honorable Jean-Yves Duclos (Liberal Party of Canada), on September 3, 2016. It is accessible electronically at this URL:

www.inquisition.ca/corr/duclos_jean_yves.htm

B) FIRST DEFENCE: The Defendant never handed out Mr. Whatcott's flyers

9. As mentioned in the "Defence E-mail", paragraphs 43 to 47, the Defendant handed out his own flyer, and not Mr. Whatcott's. The Defendant has no idea how to prove the non-existence of an act (i.e. handing out flyers he never handed out). Isn't this the burden of the Plaintiffs?

10. Even though the Defendant has no idea how to prove the non-existence of an act, nevertheless many facts point in that direction:

11. Several videos were made of flyers being handed out, showing all Gay Zombies handing out Mr. Whatcott's flyers, except the one holding the camera (and the other end of the Gay Zombie banner), i.e. the Defendant. See this URL for the links to YouTube:

www.inquisition.ca/en/polit/artic/zombie_gai.htm

12. The Defendant has a longstanding and publicly documented history of refusing to hand out Mr. Whatcott's flyers, and preferring his own instead. See "Defence E-mail", paragraph 43.

13. The Defendant took pains to send his own flyer to the Quebec Minister of Justice in April 2010, to have it vetted after the "Homophobia Act" was passed. See "Defence E-mail", paragraph 44. This also points to an attachment between the Defendant and his own flyer.

14. The Defendant continues to provably disseminate his own flyer, both over the Internet and in other Pride Parades, while simultaneously telling everybody he can about his actions, ahead of time (like the Plaintiffs' lawyer, or the organizers of the Quebec City 2016 Pride parade, or the Quebec City Police Department, etc.).

15. Evidence supporting the previous paragraph is located here:

www.inquisition.ca/corr/duclos_jean_yves.htm

C) SECOND DEFENCE: The only link between Mr. Whatcott's flyer and the Defendant is "Guilt by color palette"

16. At issue is the link connecting the Defendant with Mr. Whatcott's flyer. Let's start with the example of a lawn maintenance company accused of spraying lawns with a chemical harmful to children. All employees of that company have signed a contract and agreed to provide the service offered by that company, i.e. spray that particular chemical and no other. But in the case of the "Gay Zombies Cannabis Consumer's Association", there is no legal entity. (Zombies don't exist, so the Toronto Pride organizers knowingly allowed a fiction to participate in the parade.) The Defendant could not have been legally held to distribute Mr. Whatcott's flyer by something akin to a contract.

17. The Plaintiffs could argue that, despite the legal non-existence of the "Gay Zombies", nevertheless there was some form of "pact" or "informal contract" between all "Gay Zombies". Except this unwritten agreement was to get into the 2016 Toronto Pride parade, in order to hand out flyers containing facts about the medical consequences of anal coitus (technically known as "sodomy"), as well as an expression of God's love for all sinners, regardless of their sexual orientation. It did not specify which Christian flyer. This rough unwritten contract is what bound the Defendant with the other Gay Zombies. The de facto leader of the band, Mr. Bill Whatcott, celebrates diversity and is very tolerant, so the Defendant knew that the "Gay Zombies" were a very safe space to hand out his own flyers. Actually, if real members of the "LGBTQ2SI Community" with pro-sodomy flyers had showed up dressed in green, Mr. Whatcott would likely have inducted them into the "Gay Zombies" on the spot, and encouraged them to hand their flyers. (Mr. Whatcott is an ardent supporter of freedom of speech.)

18. The Plaintiffs could argue that, despite the legal non-existence of the "Gay Zombies", and despite the informal agreement between them allowing freedom of choice in the flyers handed out, nevertheless the "Gay Zombies" were still united by their common action. For example, in superbly-crafted bank robbery, each accomplice has a very definite task. They are so united by their common action, that if one single accomplice

fails (for example, the driver of the getaway car stalls the engine, or the safe-cracker fails to open the safe, or the guy in charge of knocking out the security guard inside the bank forgets to check the batteries of his taser, etc.), the whole bank robbery fails. But in this case, there was no clockwork precision: a bunch of Christians just walked onto the staging area of the parade. They were seven, they could have been three or twenty-nine. The appropriate metaphor is not of a bank robbery, but of a "Pick-Your-Own" field of blueberries. A bunch of people arrive in a van and each go pick their blueberries. The work of any blueberry picker is not influenced by what another one is doing.

19. Not much remains as a link uniting the Defendant with Mr. Whatcott's flyer. Both the Defendant and Mr. Whatcott were wearing green that day. Is there really such a thing as "Guilt by color palette"?

20. The Defendant could argue in defence of Mr. Whatcott's flyer, but seeing the credentials and track records of Mr. Whatcott's lawyers, the Defendant will concentrate his meager legal abilities on defending his own flyer. If the Defendant were still asked his opinion on this matter, the Defendant would just point out that both Mr. Whatcott's and his own flyer convey essentially the same message, but that Mr. Whatcott's flyer has obviously had an unhappy childhood. (See Mr. Whatcott's autobiography available on Amazon, called "Born in a Graveyard").

D) THIRD DEFENCE: The actions of the Plaintiff's lawyer constitute an implicit admission that the Defendant's flyer is Charter-protected free speech

21. The Defendant has done absolutely everything in his power, to bring the flyer he disseminated at the 2016 Toronto Pride parade, to the attention of the Plaintiff's lawyer, Mr. Elliott. The Defendant himself contacted Mr. Elliott to tell him he was one of the "Gay Zombies" (otherwise the Defendant's real name would still be unknown to the Court). The Defendant himself supplied his flyer to Mr. Elliott, as well as showing where it was publicly available on the Internet. The Defendant himself told Mr. Elliott he would continue to

disseminate his flyer at other pride parades (like the one in Quebec City).

22. Despite this, the Statement of Claim never mentions the Defendant's flyer. Neither does the Statement of Claim quote passages from the the Defendant's flyer. Mr. Elliott never mentions any request to have the Defendant's flyer removed from the Internet, even though he requested that Mr. Whatcott's flyer be taken down, and even though the Defendant's flyer is very easy to find on the Internet (just type two words in Google: love sodomites). In a recent letter from Mr. Elliott (2016-Sept-09, sent to Dr. Charles Lugosi, CC to the Defendant), he again never mentions or quotes the Defendant's flyer (despite abundantly quoting from Mr. Whatcott's flyer). Mr. Elliott even matter-of-factly discusses the recent dissemination of the Defendant's flyer at the Quebec City pride parade as: "I understand that the local police addressed the issues that arose at Quebec Pride to the satisfaction of the organizers." The local police allowed the Defendant to hand out all the flyers he wanted, as long as he was on a public sidewalk and not on private property, so that seems satisfactory to Mr. Elliott.

23. These are not the actions of a lawyer who considers the Defendant's flyer as overstepping the legally justified limit on free speech identified by the Supreme Court of Canada. On the contrary, they are indicative of Plaintiffs who have no legally-defensible complaints about the Defendant's flyer.

24. Even if the Court were to overlook the Plaintiff's silence concerning the Defendant's flyer, all the Court would find is a flyer patterned after "Love the sinner, hate the sin". For example, fifty years or so ago, when the propaganda of tobacco companies was pervasive, and knowledge of the medical consequences of smoking cigarettes was rare, and assuming there had been such a thing as a "Cigarette Smoker's Pride Parade", the Gay Zombies might have handed out a flyer called "Love Smokers, Hate Smoking". Some Gay Zombies might even have included color photographs of lung cancer and other horrible diseases caused by smoking (as we can see on cigarette packs here in the Province of Quebec).

25. A cursory examination of the flyer handed out by the

Defendant ("Defence E-mail", paragraphs 57 to 69) will show no graphics, and no names of Liberals or other persons, but rather a call to love members of the "LGBTQ2SI Community" (something explicitly ordered by God Himself, as the Bible quotes in that flyer show).

26. The flyer handed out by the Defendant also contains medical facts which can be ascertained by any medical doctor, or even a High School student who has taken a biology class, and who knows how to search governmental web sites, like the "Center for Disease Control" in the USA (for statistical prevalence of diseases in various populations).

E) Conclusion

27. In closing, I wish to draw the Court's attention to paragraph 2 of this Statement of Defence, where the Defendant agrees (if the words "deceitfully and in bad faith" are struck out) with paragraph 67 of the Statement of Claim. This is important. Whether dressed up as a zombie with a rainbow tutu, or with a formal suit and tie, whether he is surrounded by members of the "LGBTQ2SI Community" in downtown Toronto, or surrounded by hard-core Catholics at the Latin Mass in Quebec City, whether the Defendant has entered into a contract with some organization or not, the Defendant is a Canadian, and by that very fact has already signed THE CONTRACT binding all Canadians (and all men, actually), a contract which orders us to love our neighbors, to respect all just laws, to avoid doing harm (e.g. "refrain from presenting any image or messages that would promote hatred, degradation or negative stereotyping of any persons or groups"). As opposed to many people who will read this Statement of Defence, I formally became a Canadian when I was about 16 years old. I still remember the oath I swore (in French). And if I have to die in Flanders Fields to keep that oath, then so help me God.

28. Respectfully Submitted,

Stefan Jetchick

"Defence E-mail"

S. Jetchick (2016-August-16)

[Consecutive numbering of paragraphs added 2016-Sept-11]

----- Forwarded Message -----

Subject: Hudspeth, et al v. Whatcott, et al; SCJ File No. CV-16-558424-000P

Date: Tue, 16 Aug 2016 11:23:35 -0400

From: Stefan Jetchick

To: delliot@ Cindy.Elphinstone@, Whatcott, Bill

Good day Ms. Elphinstone and Mr. Elliott,
(and hello also to Bill)

29. I've never been sued in my life, so I'm like Bambi on a frozen pond here! Moreover, I'm currently unemployed so unable to afford legal counsel. I do have some questions, but I'm unsure who I should direct them to.

30. Not knowing any better, I figured I'd send them to all of you. Maybe somebody can help me on Thursday during the conference call at 9h30:

A) Why no Viagra for Pride's saggy security?

B) Why victimize Ontario Taxpayers yet again?

C) What is a law-abiding citizen to do?

D) Why sue a penniless Catholic for millions, and studiously avoid suing the rich Catholic Church?

A) Why no Viagra for Pride's saggy security?

31. Why aren't the organizers of this year's Pride parade in Toronto also named in this lawsuit?

32. Every year for over a decade, I organize a small demonstration here in Quebec City, so I have a bit of experience with security during public gatherings. (See www.proviequebec.ca/en/chaine_vie.htm)

33. Never would I have tolerated the massive security breaches that we observed in Toronto. I doubt any organizer with a modicum of due diligence would have tolerated them either:

34. Full face coverings. I did not scrutinize all participants, but as far as I saw, the "Gay Zombies" were the only ones with full face coverings. (In the Province of Quebec, I think it's even ****illegal**** to participate in a public gathering with your face covered.) Several staff from the Parade came to see us before we started marching, but nobody ever asked to see our faces.

35. No screening of persons. We just basically walked into the parade. Out of courtesy, Bill did go see the organizers to present them some crumpled sheet of paper showing he had paid to be in the parade. There was no security cordon, no attempt to actually approve who was joining the parade, nothing.

36. No screening of handouts. Bill and the others were very obviously lugging around ****very**** large bags filled with stuff to hand out (since I had no idea there would be no security, I had hidden a small quantity of my own flyers in my small knapsack). Here again, several staff from the Parade came to see us before we started marching, but nobody ever asked any questions about the contents of those large bags.

37. No Code of Conduct. In the demonstration I organize, our Code of Conduct is everywhere: on our website, on paper copies handed out to participants, and printed behind ****every**** sign that participants hold, and the highlights of that Code are verbally repeated to the group in our little prayer meeting before the demonstration begins. (See above link for the Life Chain, Section 4)

38. Toronto Pride (at least this year, since I've never been there before) had nothing, ****absolutely nothing**** of the kind. How can participants be accused of not respecting an inexistant or unknown code of conduct?

B) Why victimize Ontario Taxpayers yet again?

39. From what little I understand, Mr. Elliott is trying to use the Ontario Judicial System (painfully supported by financially struggling Ontario Taxpayers) in order to compensate for the complete dereliction of duty of the Toronto Pride organizers.

40. But that cannot even theoretically work. The Ontario Judicial System could spend every last taxpayer's dollar playing whack-a-mole with Christian activists, without ever winning, if the organizers of Toronto Pride are not held accountable for their gross negligence.

41. (By the way, if even a rinky-dink demonstration organized by one Catholic guy can easily avoid all the supposedly horrible problems that the "Gay Zombies" created that day in Toronto, why am I not being hired to organize next year's Pride? Sorry, I'm unemployed, so I had to try! :-)

C) What is a law-abiding citizen to do?

42. Speaking of Pride, I take pride in being a law-abiding citizen. I'm 53 years old, and I've never been in trouble with the law. So when I wrote up my flyer on homosexuality many years ago, I was very careful to stick to provable medical facts, and to avoid needless provocation (while also avoiding the other extreme, which could be called "Pope Francis obfuscation").

43. I didn't hand out any of Mr. Whatcott's flyers (we can never agree on that topic, as his trip to Quebec City shows, many years ago. See www.inquisition.ca/corr/whatcott_bill_en.htm#s19)

44. I had my flyer checked by a lawyer, and integrated his suggestions. Also, at that time (2010) the Quebec Department of Justice had just enacted laws against "homophobia". So I sent them a copy of my flyer using registered mail, politely requesting that they tell me if there was anything objectionable in my flyer. (See www.inquisition.ca/corr/weil_kathleen_en.htm)

45. I did get confirmation that they received my letter, but nothing else. That flyer has remained essentially unchanged since then, and has always remained very publicly on the Internet. I'm appending a copy of its contents here at the

bottom of this e-mail, but you can also see the electronic version here:

www.inquisition.ca/en/polit/artic/aimons_sodomites.htm

46. I admit I never thought of sending my flyer to the Ontario Minister of Justice, but I was supposed to be only a cameraman for Bill's event. A few weeks before D-Day, things started to look like I was going to myself participate, so I packed my zombie glasses and my small stock of flyers, and assumed if my flyer was good enough for the Quebec Justice Department, it would also be OK for Ontario's!

47. So yes, I admit I didn't ****also**** send it to the Ontario Justice Department. Is that really a million-dollar mistake? Is freedom of speech in Canada really like a field of anti-personnel mines, accessible only to the rich and famous, or to those who say only what the Ruling Classes approve?

D) Why sue a penniless Catholic for millions, and studiously avoid suing the rich Catholic Church?

48. Common sense tells us you can't get a gallon of milk out of an Ant, and you can't get millions of dollars out of one pennyless Catholic.

49. Why go after ****one**** symptom, and carefully avoid the Cause? Is it because lawyers like Mr. Elliott have a vested interest in keeping a flow of profitable lawsuits, a bit like Big Pharma, which is often accused of not curing people so they can continue to sell expensive medications?

50. The Catholic Church clearly teaches hatred. Officially. Catholics **MUST** hate in order to go to Heaven. And I'm willing to go all the way up to the Supreme Court of Canada to prove it.

52. A few quotes with the word "hate" and its synonyms like the verbs "to detest", "abhor", "to be odious", in the Bible and the Catechism of the Catholic Church:

"The fear of the LORD is to hate evil"

Pr 8:13

"I abhor the assembly of evildoers and refuse to sit with the wicked."

Ps 26:05

"[Don't] commit this horrible deed which I hate!"

Jr 44:4

"When you begin to abhor what you have made, it is then that your good works are beginning, since you are accusing yourself of your evil works"

Catechism of the Catholic Church, #1458

"Liberation in the spirit of the Gospel is incompatible with hatred of one's enemy as a person, but not with hatred of the evil that he does as an enemy.

Catechism of the Catholic Church, #1933

52. (See www.inquisition.ca/corr/lemieux_lefevre_jasmin_en.htm#s1p1)

53. I was always told that good Catholics must "Love the sinner and hate the sin", hence the title of my flyer: "Love Sodomites, Hate Sodomy!" Actually, if I look at the whole Ontario Judicial System, it seems like it's trying to "Love the criminal, but hate the crime", which is just plain common sense.

54. Is common sense now illegal in Ontario?

55. Yours truly,

Stefan Jetchick

56. Here are the contents of the only flyers I handed out at this year's Toronto Pride:

=====
57. Love Sodomites! Hate Sodomy!
=====

58. Lie #1: "The Church is against love between men"

59. Really? The same Church that teaches: "Love one another" [John 13:34], and "Love your enemies, do good to those who hate you, bless those who curse you, pray for those who mistreat you" [Luke 6:27-28], etc.?

60. The Church is against sodomy, not against love.

33. Lie #2: "Sodomy is perfectly natural"

61. "Anal sex is unhealthy. Aside from sexually transmitted diseases, these acts lead to many other medical conditions including the Gay Bowel Syndrome, hepatitis A, unusual infections of the epididymis, and other disorders of the anus and surrounding muscles such as fissures. Homosexuals who practice anal intercourse are as much as eighty-four times more likely to develop anal cancer than the general population.

62. Anal sex is unnatural. It obviously is traumatic to the anus, which simply is not made to accommodate the male organ. Not only does the anus have no natural lubrication, but it is clearly the wrong size for genital contact. As evidence of this, consider the difference in size of the speculum and the anoscope. The speculum, which the physician places inside the woman during a gynecologic exam, is roughly the size and shape of the erect male organ. The anoscope, used to examine the anus, is half the diameter of the speculum - more similar in size to an adult forefinger. [...]"

63. [WETZEL, Richard, MD. Sexual Wisdom, Ann Arbor, MI, Proctor Publications, 2000. chap. 10, p. 145-147]

64. Lie #3: "Homophobia is the only cause of the physical and mental health problems of sodomites"

65. First, if you define "homophobia" as being the hatred of persons with same-sex attractions, then of course "homophobia" is very evil. (See the teachings of the Church here above.) Also, if you are a person who feels hated and is contemplating suicide, please don't! God loves you! And please give us a call if we can do anything to help you.

66. But unfortunately these days, the meaning of the word "homophobia" is changing. More and more, it's just an insult thrown at people to take away their critical thinking and their freedom of speech.

67. Would sodomy have positive medical consequences if, by magic, everybody started to approve it? (See Section #2 here above.) Would babies be made differently if, by magic, everybody started to consider sodomy just as normal as what husband and wife do after marriage? Does a boy who decides to put on a dress change

his chromosomes from XY into XX to become, by magic, a girl? Do our sexual attractions constitute our "identity", rather than the fact we are persons, i.e. beings endowed with intelligence and free-will? Is Quebec becoming "Science-o-phobic"?

68. Let's have the courage to seek together the truth about these questions!

69. www.jesus-eucharistie.org www.inquisition.ca

CHRISTOPHER HUDSPETH et al.
Plaintiffs

- and - WILLIAM WHATCOTT et al.
Defendants

Court File No. CV-16-558424-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
TORONTO

STATEMENT OF DEFENCE

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Defendant (self-represented)