



Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

BABAK VOSOOGHI ZADEH

(Plaintiff)

- and -

LAKSHMINDYA SHIVANGHI CHEDIE (aka CHAENELLE)

(Defendant)

STATEMENT OF CLAIM

TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service, in this court office, **WITHIN TWENTY DAYS** after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$1,500.00 for costs, within the time for serving and filing your statement of defence, you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and have the costs assessed by the court.

Superior Court of Justice
50 Eagle St W
Newmarket, ON L3Y 6B1

[REDACTED]

THIS ACTION IS BROUGHT AGAINST YOU UNDER THE SIMPLIFIED PROCEDURE
PROVIDED IN RULE 76 OF THE *RULES OF CIVIL PROCEDURE*.

THE CLAIM

- 1) The Plaintiff claims as against the Defendant the following:
 - a. General damages in the amount of \$100,000 for defamation,
 - b. Punitive and aggravated damages for the Defendant's malicious conduct, including the deliberate and continued publication of false and defamatory statements with the intent to cause maximum reputational and emotional harm to the Plaintiff; in an amount to be assessed,
 - c. An order requiring the Defendant to remove the publication and publish a formal retraction and apology,
 - d. Pre-judgment interest on the sums as aforesaid pursuant to section 128 of the *Courts of Justice Act*, RSO 1990, and amendments thereto,
 - e. Post-judgment interest pursuant to the agreement between parties at the rate of \$4,250 per month,
 - f. Costs of this action on a full indemnity basis, together with applicable taxes; and,
 - g. Such further and other relief as this Honourable court and the nature of this case may require.

The Parties

- 2) The Plaintiff, Babak Vosooghi Zadeh (hereinafter “Babak”) is a lawyer licensed to practice law in Ontario and is in good standing with the Law Society of Ontario.
- 3) The Defendant, Lakshmindya Shivanghi Chedie, also known as Chaenelle (hereinafter referred to as “Chaenelle”) is an individual residing at [REDACTED] Rd, North York, Ontario M [REDACTED]

Factual Background

- 4) On January 16, 2025, Chaenelle commenced a civil action in the Ontario Small Claims Court against Joshua Fernandes (hereinafter “Joshua”), her ex-boyfriend, under court file No. SC-25-00000539-0000 seeking \$25,663.98 for an alleged unpaid loan and emotional distress.
- 5) In her claim, Chaenelle alleges that she transferred approximately \$15,000 to Joshua as a loan with an expectation of repayment and that he failed to do so. She further claims an additional \$10,000 in damages for emotional distress, asserting that Joshua manipulated her emotionally and financially during and after their relationship.
- 6) On March 3, 2025, Babak was retained by Joshua to provide legal representation in defending the claim. Joshua advised Babak that he denied Chaenelle’s allegations.
- 7) On March 5, 2025, the Plaintiff filed a defence on Joshua’s behalf. The defence denied that any loan existed, asserting that the \$15,000 transferred by the Defendant to Joshua was provided voluntarily as a gift during their romantic relationship, with no verbal or written agreement for repayment. Joshua further pleaded that he had, in turn, provided approximately \$10,000 in financial and emotional support to the Chaenelle. He also pleaded that Chaenelle

had used Joshua's credit card without authorization for personal purchases.

- 8) Babak pleads and the fact is that Joshua's defence was filed as a pleading and not a sworn statement. Further, Babak pleads, and the fact is that Joshua's pleadings were his side of the story, and Babak had no priori knowledge of the realities between Joshua and Chaenelle.
- 9) Additionally, Babak raised the statutory two-year limitation period under the Ontario *Limitations Act*, 2002, asserting that the claim was filed out of time, and that no valid grounds existed to extend that limitation period.
- 10) On March 20, 2025, the Defendant filed a Motion to Strike the defence, alleging it was based on false information and further accusing the Plaintiff of "aiding and facilitating a false defence."
- 11) Babak advised Chaenelle that he was doing his job as a defence counsel and that she could challenge Joshua's pleadings at trial. However, Chaenelle kept asserting that Babak was liable for Joshua's pleadings and their truthfulness. Babak advised Chaenelle that he had no means to verify who was truthful and that she had better pursue her claims in the Small Claims Court.
- 12) On or about April 23, 2025, Chaenelle submitted a report to the Toronto Police Service accusing Joshua of fraud and obstruction of justice, namely lying under oath. While the report focused on Joshua, it expressly named Babak as a complicit.
- 13) On April 30, 2025, the Defendant escalated these accusations by publicly posting a weblog called BEHIND THE LOBBY at <https://www.behindthelobby.ca/> (hereinafter, the Weblog), that falsely claimed a criminal investigation had been approved by the Toronto Police, naming Babak as a suspect.

- 14) The Weblog, which is emotionally charged, portrays Chaenelle as a vulnerable victim of high-handed wrongdoings by Joshua and their mutual ex-employer. Its main page names Babak in three instances and attributes “aiding and abetting a fraudulent defense, obstructing justice, and issuing a written threat intended to intimidate”.
- 15) At a specific page, named “The Power”, Chaenelle expressly names Babak. Further, at another page, named “The Cases”, Babak has been named as “Second Suspect” of the criminal case.
- 16) The post alleged that Babak had engaged in fraud, obstruction of justice, digital tampering, and issued written threats in connection with the civil case.
- 17) These statements are demonstrably false, malicious, and entirely unsupported by law enforcement or judicial proceedings. Babak has never been the subject of any criminal complaint, investigation, or charges. He has never been contacted by the Police, nor have been any charges laid against him. All these baseless accusations are entirely made up by Chaenelle.
- 18) The defamatory statements were published in a public forum, naming Babak, and were intended to harm his professional reputation, discredit his role as legal counsel, and cause emotional and economic harm.
- 19) As a result, Babak has suffered serious and ongoing reputational damage, loss of professional standing, and significant emotional distress. These events give rise to this claim in defamation (libel), injurious falsehood, and intentional infliction of emotional distress.

Cause of Action: Defamation

- 20) Chaenelle’s defamatory comments are false and inaccurate. While the Weblog claims that Joshua’s statements were made under oath, Joshua has only submitted his pleadings and he

has never been under any oath. Chaenelle has wrongfully fabricated the facts and alleged that Joshua has obstructed justice under oath. Further, the Weblog names Babak is a complicit, while he is lawyer who has acted in his professional capacity.

21) Even if we assume that Joshua has done any wrongdoing, which is not admitted, Chaenelle's assumption that Babak has aided and abetted Joshua is entirely her imagination, and she has no reasonable grounds to make such conclusion.

22) The Weblog falsely states that a criminal report had been approved by Toronto Police naming Babak, as a suspect in an active investigation involving fraud, obstruction, and digital tampering. The post also alleged that Babak aided and abetted a fraudulent legal defense and issued a written threat by stating:

Babak Vosooghi, Counsel of Record, is now implicated for aiding and abetting a fraudulent defense, obstructing justice, and issuing a written threat intended to intimidate me into silence after being lawfully served.

23) The post was published online and made accessible to the public, including colleagues, clients, and others in the legal community, with the aim to embarrass Babak with the ultimate aim to force him out of his role as a lawyer.

24) These statements and their undue reference to Babak have caused serious harm to his personal and professional reputation, resulting in reputational damage, emotional distress, and financial loss.

25) The Defendant published these statements either knowing they were false or with reckless disregard for the truth, and did so maliciously, intending to discredit and harm Babak.

26) When Chaenelle was asked to remove all references to Babak's name, she refused to do so.

Her insistence on publishing false and defamatory comments against Babak is causing ongoing reputational, business, and emotional harm to Babak.

May 28, 2025

Babak Vosooghi Zadeh

8900 Yonge Street, Suite 3
Richmond Hill, ON L4C 0L7