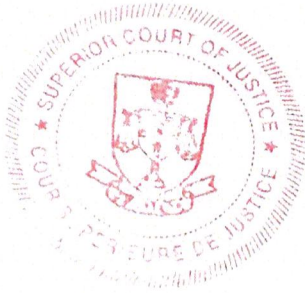


**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**



ETIENNE VINCENT MARIO GADBOIS

Plaintiff

- and -

BENJAMIN BENJAMIN



Defendant

**STATEMENT OF CLAIM**

SIGNIFIÉ LE 23  
2016, 04 14 31

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The Claim made 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 of 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 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 FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.**

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$4000 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 believed the amount claimed for costs is excessive, you may pay the plaintiffs claim and \$400 for costs and have costs assessed by the court.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date April 23, 2026

Issued by  K. CHEVALIER  
Local Registrar

Address of court office: 50 Eagle Street West  
New Market Ontario  
L3Y 6B1

TO: BENJAMIN BENJAMIN  
102-5164 Rene-Levesque  
Sherbrooke, Quebec  
J1N 2X1

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

**CLAIM**

The Plaintiff claims:

- a) Judgment against the Defendant in the amount of \$195,000.00, representing the principal sum claimed by the Plaintiff to the Defendant pursuant to emotional pain and economic prejudice;
- b) Judgment against the Defendant for interest at the rate of 6% per annum, calculated from May 2024 to the date of judgment, in accordance with the agreement between the parties.
- c) In the alternative, the Plaintiff claims pre-judgment interest on the sum of \$195,000.00 pursuant to section 128 of the Courts of Justice Act, R.S.O. 1990, as amended, from the date of demand to the date of judgment.
- d) In the alternative, the Plaintiff claims post-judgment interest pursuant to section 129 of the Courts of Justice Act, R.S.O. 1990, as amended.
- e) If applicable, judgment against the Defendant for general damages, including compensation for irreparable harm sustained by the Plaintiff, in an amount to be determined by this Honourable Court.
- f) If applicable, judgment against the Defendant for punitive and exemplary damages in an amount to be determined by this Honourable Court;
- g) Costs of this action on a substantial indemnity basis, together with any goods and services tax which may be payable on any amount pursuant to the *Excise Tax Act*, R.S.C., 1985, as amended and applicable disbursements; and
- h) **Such further and other relief as this Honourable Court deems just.**

## BACKGROUND INFORMATION

1. The Plaintiff, Étienne Vincent Mario Gadbois, is the biological father of four (4) minor children and resides in the Province of Ontario.
2. The Defendant, identified as “Benjamin” (full name currently unknown), is an adult individual who, at all material times, was in a relationship with the Plaintiff’s spouse.
3. The Defendant is further identified, to the best of the Plaintiff’s knowledge, as the father of a minor child known as “Gaby” (believed to be a nickname), approximately 10 years of age, and who spend most of his time at the Plaintiff’s wife residence.
4. The Defendant is also identifiable as being a little man of poor intellectual capabilities with very limited financial resources.
5. The Plaintiff will seek to amend this claim to properly identify the Defendant upon obtaining his full legal name and particulars, the whole following an ongoing private investigation.
6. The Plaintiff states that the Defendant’s romantic relationship with the Plaintiff’s spouse began in or about January 2026.
7. At all material times, the Plaintiff maintained a close, loving, and active parental relationship with his children.
8. Following the commencement of the relationship between the Defendant and the Plaintiff’s spouse, the Defendant became involved in the family environment of the Plaintiff’s children.
9. The Plaintiff pleads that the Defendant inserted himself into the lives of the children in a manner that assumed or resembled a parental role.
10. The Plaintiff further pleads that the Defendant held himself out, implicitly or explicitly, as a parental figure to the children, thereby interfering with and undermining the Plaintiff’s role as **their father**.

11. The Plaintiff states that the Defendant's conduct contributed to confusion among the children regarding parental roles, authority, and emotional attachment.
12. The Plaintiff further pleads that the Defendant knew or ought to have known that his conduct would interfere with and harm the Plaintiff's relationship with his children.
13. The Plaintiff alleges that the Defendant, directly or indirectly, contributed to the deterioration of the Plaintiff's relationship with his children by fostering emotional distance, reduced communication, and diminished parental influence.
14. As a result of the Defendant's conduct, the Plaintiff's relationship with his children was significantly impaired.
15. The Plaintiff has suffered emotional distress, mental suffering, loss of dignity, and loss of the companionship and affection of his children.
16. In addition, the Plaintiff has suffered economic loss and financial prejudice as a direct consequence of the Defendant's conduct, including expenses incurred in attempting to preserve and restore his relationship with his children, and other related financial impacts.
17. The Plaintiff will provide further particulars of such economic losses as they become known.
18. The Plaintiff pleads that the Defendant's conduct was intentional or, alternatively, reckless, and constitutes unlawful interference with the Plaintiff's parental relationship and/or the tort of intentional infliction of mental suffering.
19. The Plaintiff claims damages in the amount of \$195,000.00.
20. The Plaintiff further seeks aggravated and punitive damages in light of the Defendant's conduct.
21. The Plaintiff reserves the right to amend this claim upon obtaining further particulars.

22. No part of the sum of \$195,000.00 has been paid by the Defendant.

## CONCLUSION

23. The Plaintiff pleads that, by reason of the Defendant's actions, and the resulting financial deprivation, the Plaintiff is entitled to claim general and punitive damages arising from the Defendant's conduct, in addition to the sum of \$195,900.00 representing emotional pain and economic prejudice suffered by the Plaintiff.
24. The Plaintiffs propose that this action be tried at the Town of Newmarket, in the Province of Ontario;
25. The Plaintiff has performed all conditions precedent necessary to entitle the Plaintiff to judgment.

Dated: April 23, 2026

Lawyer for the Plaintiff

Name and Address:

*Valeriy Kurzhev*

*901-235 Gosford Blv*

*North York, Ontario, M3N 2W3*

**ETIENNE VINCENT MARIO GADBOIS**

Plaintiff

**BENJAMIN BENJAMIN**

Defendant

Court File No. CV-26-00001530-0000

**ONTARIO**

**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Newmarket

**STATEMENT OF CLAIM**

**V KURZHEV LAW**

Valeriy Kurzhev

Barrister and Solicitor

901-235 Gosford Blvd.

North York, Ontario

M3N 2W3

Valeriy Kurzhev (83740S)

Tel.: (416) 258-6565

[va90777@gmail.com](mailto:va90777@gmail.com)

Lawyer for the Plaintiff