

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE KINGDOM OF HEAVEN FOUND A SEAN
(An Express Trust Organization)

Plaintiff

- and -

TANJA JOHNSON, HALA TABL and MICHAEL von DEHN

Defendants

STATEMENT OF DEFENCE OF THE DEFENDANT HALA TABL

1. The Defendant, Hala Tabl ("**Tabl**"), denies all of the allegations against her contained in the Statement of Claim.
2. Tabl pleads that the action against her is frivolous, vexatious, and an abuse of process and should be summarily dismissed with costs on a complete indemnity basis.
3. Tabl is filing this pro forma Statement of Defence strictly in order to meet the required deadline under the *Rules of Civil Procedure*, to preclude the Plaintiff from noting her in default and so that she can move to have the action summarily dismissed under Rule 21 or otherwise.
4. Tabl expressly reserves her right to file an amended Statement of Defence, if necessary.

The Parties

5. The Plaintiff, the Kingdom of Heaven Found a Sean (the "**Plaintiff**"), is described to be an "Express Trust Organization". Sean von Dehn ("**Sean**") is the directing mind of the Plaintiff.

6. Sean is the son of the late Joachim von Dehn (the "**Deceased**"), who died on October 29, 2019. Sean is the oldest sibling of the Defendant Tanja Johnson ("**Tanja**") and the Defendant Michael von Dehn ("**Michael**").

7. The Defendant Tabl is a barrister and solicitor duly called to the Ontario bar. At all material times, Tabl worked in association with the law firm Milton Estates Law (the "**Firm**").

The Action is not Properly Constituted

8. Tabl pleads that the Action is not properly constituted. The Plaintiff Kingdom of Heaven Found a Sean an Express Trust Organization is not a juridical entity and it is not a corporation.

9. Moreover, in the Statement of Claim, the Kingdom of Heaven Found a Sean an Express Trust Organization is incorrectly described as Claimant and the Defendants Tabl, Tanja and Michael are described as Respondents.

10. Tabl pleads that the Statement of Claim should be struck as it is a violation of the *Rules of Civil Procedure*.

No Duty to Non-Client - The Application for a Certificate of Appointment

11. The Deceased died intestate. Under the law of intestacy, the Deceased's sole beneficiaries are his three children: Sean, Tanja and Michael. The Plaintiff is not an intestate heir of the Deceased.

12. Tabl was retained by Johnson to advance an application to appoint her as the Estate Trustee of the Deceased's Estate Without a Will (the "**CAET Application**") and to dispense with a bond.

13. On May 6, 2022, Justice Castillo granted an Order dispensing with the requirement for Tanja to post an administration bond in connection with the CAET Application filed with the Court. On the same day, Justice Castillo also provided an endorsement that, among other things, vacated the objection of King Sean, House von Dehn, dated March 24, 2022.

14. The Certificate of Appointment of Estate Trustee without a Will has not yet been granted by the Court.

15. Tabl did not act for the Plaintiff at any time and did not owe the Plaintiff any duty of care, contractual duty, fiduciary duty, or any other duty, whether as pleaded or otherwise, and puts the Plaintiff to the strict proof thereof.

16. Tabl denies that she owed any duty to the Plaintiff to provide the advice as alleged to Tanja, her only client, or that she had any duty or obligation to post a performance bond, as alleged.

17. Tabl denies any liability to the Plaintiff.

18. Tabl further denies that the Plaintiff have sustained any damages whatsoever and puts it to the strict proof thereof. To the extent that the Plaintiff has sustained damages, which is not admitted but rather denied, Tabl pleads that the damages are excessive, exaggerated, remote, unmitigated, unforeseeable, unrecognized at law and unconnected to any alleged act or omission on the part of Tabl which is in any event denied.

General

19. Tabl relies on the provisions of the *Negligence Act*, R.S.O., 1990 c.N1, as amended, the *Estates Act*, R.S.O. 1990, c. E.21, and the *Trustee Act*, R.S.O. 1990, c. T.23.

20. Tabl pleads that the within action ought to be dismissed as against her with costs on a complete indemnity basis in light of the allegations of negligent conduct which impugn her professional reputation and integrity.

August 18, 2022

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Defendant, Self-represented

THE KINGDOM OF HEAVEN FOUND A SEAN (An Express
Trust Organization)
Plaintiff

-and- TANJA JOHNSON et al
Defendants

Court File No. CV-22-00089835-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
OTTAWA

**STATEMENT OF DEFENCE
OF THE DEFENDANT HALA TABL**

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