



**LAW SOCIETY TRIBUNAL
HEARING DIVISION**

Citation: *Mazaheri v Law Society of Ontario*, 2026 ONLSTH 112

Date: June 12, 2026

Tribunal File No.: 25H-139

BETWEEN:

Shahryar Mazaheri

Applicant

- and -

Law Society of Ontario

Respondent

Before: Paul Aterman (chair), Lubomir Poliacik, Michelle Richards

Heard: In writing

Appearances:

Applicant, self-represented

Amanda Worley, for the respondent

Summary:

MAZAHERI – Costs – Negligent and Irresponsible Use of Artificial Intelligence – The Lawyer brought a motion to cancel or vary the interlocutory suspension of his licence which was dismissed – The Lawyer also brought other motions and during the process it was discovered that his negligent use of artificial intelligence added to the complexity of the matter – The Law Society argued that it should be awarded its full costs while the Lawyer asked for the costs to either be dismissed, lowered or deferred to the panel that hears the merits of the conduct application – The panel found that the Lawyer bear the full costs of his actions and ordered costs of \$31,150 to the Law Society.

REASONS FOR DECISION ON COSTS OF MOTIONS

- [1] Paul Aterman (for the panel):– The Law Society Tribunal suspended the licence of Shahryar Mazaheri (the respondent) on an interlocutory basis on November 12, 2024.¹ Almost a year later, on October 22, 2025, the respondent brought a motion to cancel or vary the interlocutory suspension.
- [2] The Law Society filed evidence in its response to that motion. The respondent objected. He brought a second motion, this time to exclude the Law Society’s evidence. This motion also requested that we recuse ourselves from hearing the motion to cancel because we had seen the evidence he objected to. The respondent alleged that this made us biased. We refer to this as the “admissibility and bias motion”.
- [3] When he filed his admissibility and bias motion, the respondent submitted materials that were produced with the assistance of generative artificial intelligence. His argument was full of references to non-existent decisions, or decisions that exist but do not stand for the propositions outlined by him. In addition, the argument repeatedly invoked sections of the Tribunal’s *Rules of Practice and Procedure* to make points of substantive law even though the Rules are obviously and only about questions of Tribunal process, not the substance of the law that we apply. The argument was completely incoherent.
- [4] When we discovered this, we convened a case management hearing. We permitted the respondent to re-file his motion materials.
- [5] The respondent did so, adding to it a further bias argument. Now he alleged that we had made our minds up about the consequences of his use of artificial intelligence without giving him an opportunity to make his case on that point. We rejected his motion to exclude evidence and to recuse ourselves.²

¹ *Law Society of Ontario v Mazaheri and Yack*, 2024 ONLSTH 132.

² *Mazaheri v Law Society of Ontario*, 2025 ONLSTH 186.

- [6] We then heard the respondent's motion to cancel or vary the interlocutory suspension and rejected that as well.³
- [7] We now deal with the issue of costs for the respondent's two motions. The Law Society argues that we should award its full costs of \$31,150, payable immediately. The respondent requests that we either dismiss the costs claim entirely, or award costs of \$5,000 or less, or defer the question of costs to the panel that hears the merits of the Law Society's conduct application.
- [8] It is appropriate for us, as the motions panel, to decide the issue of costs rather than deferring it. It is also a case where it is appropriate to award costs, without any reduction, to the Law Society. Both of the respondent's motions failed. Moreover, his irresponsible use of artificial intelligence not only wasted time, cost, and effort, it was profoundly improper. The respondent should bear the full cost of his actions. The rest of the professions should not pay for this kind of behaviour.
- [9] Our reasons for these conclusions follow. First, we apply the usual factors relevant to a costs award. Then, we discuss the respondent's use of artificial intelligence.

THE USUAL FACTORS IN A COSTS AWARD

- [10] A decision to award costs is discretionary. The Tribunal can award costs against a respondent where it has made a decision against the respondent, or where the respondent caused costs to be incurred without reasonable cause or to be wasted by undue delay, negligence or other default.⁴
- [11] In exercising its discretion, the Tribunal typically looks at the following factors:
- the complexity of the proceeding;
 - the nature and importance of the issues;
 - the length of the hearing;
 - the conduct of the parties and its effect on the hearing;
 - whether steps in the proceeding were unnecessary;
 - the ability of the licensee to pay; and
 - the reasonable expectations of the parties.⁵

³ *Mazaheri v Law Society of Ontario*, 2026 ONLSTH 33.

⁴ Rule 15.1(2) of the Tribunal Rules.

⁵ *Law Society of Ontario v Khan*, 2021 ONLSTA 7 at para 8.

[12] When the Tribunal considers these factors in awarding costs against a licensee, it applies key principles, including that:

- the purpose of a costs award is not to punish the licensee;⁶
- the licensee, rather than all fee-paying licensees, should ordinarily bear the expense of unsuccessful litigation;⁷ and
- costs awards should not be so high as to create a real practical barrier to licensees being able to defend themselves in discipline proceedings. Proportionality is a key consideration.⁸

There is no reason to defer a costs award

[13] The respondent has asked that we defer deciding the costs of his motions to the panel that will decide whether he committed misconduct.

[14] When a panel of the Tribunal imposes an interlocutory licence suspension, it is common to defer a costs award to the panel that ultimately hears the conduct application. This is what the panel that imposed the interlocutory suspension in this case did. The reason for this is that a panel making an interlocutory suspension has not made a finding of misconduct. The licensee may yet successfully defend themselves against the misconduct allegation.⁹ It may turn out that, in retrospect, the suspension should not have been ordered.

[15] However, costs for other preliminary motions are usually determined at the time the motion is decided. The reasons for this are set out in *Marusic*.¹⁰ As that panel notes, where the issues on the motion are distinct from the merits of a conduct application, a licensee should usually pay for the costs of an unsuccessful motion. It explains that:

This will ensure that the costs relating to the motion are analyzed separately from those relating to the prosecution. It will also encourage parties to consider the costs to the system of bringing such a motion before doing so. Finally, although not the circumstance here, preliminary motions are sometimes determined by a different panel from the panel hearing the merits and the panel that heard the motion is in the best position to decide the appropriate amount of costs based on the relevant factors.

⁶ This principle has long been applied; for example, *Law Society of Upper Canada v Lang*, 2008 ONLSHP 2 at para 139.

⁷ *Law Society of Upper Canada v Dymont*, 2014 ONLSTA 41 at para 4.

⁸ *Moore v College of Chiropractors*, 2025 ONSC 6190 at paras 143, 144 and 151.

⁹ *Law Society of Upper Canada v Castillo Garcia*, 2014 ONLSTH 226 at paras 18-19.

¹⁰ *Law Society of Ontario v Marusic*, 2018 ONLSTH 137 at paras 4-5.

[16] This reasoning applies in this case. Although the respondent requested that we defer the costs decision, he made no arguments to support his request. The respondent brought these additional motions and was unsuccessful on each one. We are better positioned to assess costs than a panel which has not heard the motions. This is why we will determine the costs issue for both motions.

We apply the relevant factors to these motions

The respondent's conduct turned fairly simple motions into complex ones

[17] The respondent argues that the issues in the motions were simple, yet the Law Society's motion record exceeded 1,000 pages. He asserts that the vast majority of this evidence did not feature in the Law Society's submissions or our reasons for decision. He also notes that the Law Society billed for 89 hours of work. By contrast, the Law Society brought an unsuccessful Superior Court application to put his practice into trusteeship. There the Law Society docketed only 18.5 hours and under \$4,000 in costs. This comparison, he says, clearly demonstrates that the Law Society's costs submission is excessive.

[18] We disagree for two reasons.

[19] First, it is not useful for us to compare the Law Society's costs on these motions to its costs on a related, but wholly distinct, application made in Superior Court. We have no insight into how that litigation was conducted. All that we know is that the Law Society was successful on both motions before us, and the respondent was successful in the Superior Court application. We are not in a position to meaningfully compare the two proceedings.

[20] Second, and more importantly, the litigation of the two motions in this case was unduly complicated by the respondent's own conduct.

[21] The respondent brought a motion to cancel or vary the interlocutory suspension. This type of motion is not brought often. The Tribunal can cancel or vary an interlocutory suspension if there is fresh evidence or a material change in circumstances since the suspension was imposed.¹¹

[22] The factual background to the motion to cancel was not straightforward. As the panel that issued the interlocutory suspension noted, the alleged mortgage frauds that led to the suspension application were complex. That complexity was then compounded by the limited evidence that was put forward in the suspension hearing. This included the fact that the respondent did not testify at his own suspension hearing.

¹¹ *Law Society Act*, RSO 1990, c L.8, s 49.42 (the Act), and Rule 12.8 of the Tribunal Rules.

- [23] When the respondent then brought his motion to cancel or vary, the Law Society submitted the motion record from the suspension hearing. It also introduced affidavit evidence. As the respondent notes, a lot of pages were filed. The respondent moved to exclude both the motion record and affidavit evidence.
- [24] But the Law Society had to introduce the motion record from the suspension hearing. It was a direct and necessary consequence of the respondent applying to cancel or vary the suspension. We needed to see the motion record from the suspension hearing, otherwise how could we determine whether there were grounds to cancel or vary it? We explain this approach in our reasons.¹²
- [25] The Law Society also filed affidavit evidence. It did so to rebut issues that the respondent himself raised in the affidavit he filed on his motion to cancel or vary. We ultimately determined that none of the respondent's evidence met the fresh evidence test.¹³ As a result, our reasons did not need to address the affidavit evidence the Law Society introduced. But counsel for the Law Society could not have known how we would decide the respondent's motion before filing its affidavit evidence. So, it was reasonable for the Law Society to have expended the time and effort that it did on preparing those materials.
- [26] As our reasons indicate, the respondent's arguments on admissibility failed. He increased the complexity of this motion by then asking us to recuse ourselves because we had seen the materials that he was objecting to. This argument also had no basis. Adjudicators routinely rule on the admissibility of evidence without having to then disqualify themselves for having seen the evidence.
- [27] The respondent further compounded the issues in the case by adding a second argument to his bias allegation. This came about because we discovered that he had used artificial intelligence to prepare the materials for the admissibility and bias motion. We convened a case management conference to give him an opportunity to explain what he had done. At the conference he admitted that he used artificial intelligence without checking its output. But he claimed that the way we handled the conference showed bias against him. We then had to adjudicate that argument, and dismissed it.
- [28] Quite apart from the substance of the respondent's arguments, the procedural history of these motions was unduly complicated:
- We had to postpone the hearing of the motion to cancel or vary on October 28, 2025 to December 4-5, 2025, in part because the Law Society filed a

¹² 2025 ONLSTH 186 at paras 15-22.

¹³ 2026 ONLSTH 33 at paras 30-55.

large volume of material on short notice, but also because the respondent did not act diligently to deal with it.

- We had to vacate the December 4-5 hearing dates and convert December 4 to a case management conference to deal with the respondent's use of artificial intelligence.
- Once he decided to allege that we were biased because of how we handled the case management conference, the respondent should have raised his bias argument directly with us. He could have done this orally on December 4, or in writing after the case management conference. Instead, he tried to circumvent us by raising it orally on December 8 at a general case management sitting. The Tribunal Chair was presiding at that sitting. He notified me as the panel chair dealing with the case. I then dealt with this issue at the December 8 general sitting. I directed the parties to make their submissions in writing. The appearance of both parties at the December 8 general case management sitting was avoidable.
- Three sets of hearing dates were scheduled before we could adjudicate the respondent's motion to cancel or vary.

[29] The sequence above shows how the respondent's approach turned a single motion to cancel or vary into two unduly complicated motions.

The nature of the issues and the reasonable expectations of the parties

[30] The respondent was suspended because he was alleged to have been involved in fraudulent transactions. Whether he was aware of the nature of the transactions at the time is something that the panel hearing the misconduct allegations against the respondent will decide.

[31] Regardless of the role the respondent is ultimately found to have played, there was enough evidence to suspend his licence on an interlocutory basis. The fraud was on a large scale. A double murder and a suicide may be related to the fraud. There was evidence suggesting that the respondent acted improperly in this matter. To say the issues in this case are serious is an understatement. Given these facts, it was hardly surprising that the Law Society would seek to prevent the cancellation or variation of the interlocutory suspension.

[32] The respondent should reasonably have expected the Law Society to vigorously oppose both of his motions.

The respondent's financial circumstances

[33] There is no doubt that the respondent's income from his law practice has been completely cut off for more than 17 months. Although the respondent argues

that the costs claimed by the Law Society would impose financial hardship upon him, we have no evidence of his financial circumstances.

COSTS AND THE NEGLIGENT USE OF ARTIFICIAL INTELLIGENCE

- [34] We have outlined the usual factors that apply in assessing costs. We now turn to an unusual one: the respondent's use of artificial intelligence in preparing the materials in his admissibility and bias motion. As we note above, the materials cited cases that don't exist and real cases that had nothing to do with the points the respondent was making.
- [35] As far as we know, this is the first time that a party has included "hallucinated" authorities in arguments before the Law Society Tribunal.
- [36] But it is by no means a first in Canadian law. There is a growing understanding in the legal community that unsupervised artificial intelligence tools are unreliable. They will generate fictitious citations, and misunderstand and misrepresent legal concepts. Yet despite this increased awareness, the number of cases reported on CanLII where a court or tribunal has identified that a party has submitted a fictitious citation is going up, not down: seven in 2024, 86 in 2025, and 39 in the first quarter of 2026, totalling 132.¹⁴
- [37] Unsurprisingly, in most of those cases a self-represented party submitted hallucinated authorities. But in 24 of 132 cases, a represented party submitted hallucinated citations. If licensees are using artificial intelligence irresponsibly, this raises significant issues.
- [38] We address the respondent's use of artificial intelligence in the following order. First, we discuss why there is a high risk that legal research generated through artificial intelligence is unreliable. Next, we explain what happened in this case. Then we discuss the impact of the respondent's conduct. Finally, we explain how his conduct affects our decision to award full costs to the Law Society on these motions.
- [39] To be clear, our decision in this case flows from the Tribunal's authority to address conduct that arose in proceedings before it.¹⁵ That means that we make no determination as to whether the respondent has engaged in professional misconduct. The Law Society has filed a notice of application alleging that the respondent has done so. Another panel will decide this new conduct

¹⁴ "The Rise of AI-Hallucinated Case Law in Canadian Court and Tribunals", 2026 CanLIIDocs 738, Tom Macintosh Zheng. This is the number of reported cases in CanLII on March 27, 2026.

¹⁵ *Law Society of Ontario v Desrochers*, 2025 ONLSTH 61 at paras 22-25.

application. Our role is only to decide the motion costs to be ordered, taking into account the hallucinated submissions filed by the respondent.

Artificial intelligence can't think like a lawyer

- [40] The comments below reflect our understanding of the state of artificial intelligence today. Artificial intelligence is evolving rapidly. It may be that our current concerns are all addressed in the near future. But for the purposes of this decision, we need to look at the implications of lawyers' use of artificial intelligence as it functions today.
- [41] When lawyers use artificial intelligence to do legal research, they are relying on generative artificial intelligence. As its name suggests, generative artificial intelligence can produce content, such as text or images. The most common form of generative artificial intelligence that lawyers rely on is the large language model.
- [42] A large language model is trained on vast quantities of text to identify statistical relationships between phrases, words and parts of words. Perhaps experts in the field know how large language models are trained, but the public at large doesn't. We know nothing about the integrity or veracity of the sources of the text that large language models are trained on. We don't know if the text has been vetted for accuracy or bias.
- [43] Once trained, a large language model calculates probabilities, so as to arrange the phrases and words in an order that appears logical and sounds like a human wrote the text.
- [44] But unlike a human, a large language model does not appreciate nuance or exercise judgment or use a moral compass when writing. It just does calculations, and then puts words in the order dictated by statistical probabilities. The calculations are impressive – large volumes of authoritative-sounding text are generated in seconds or minutes. But they are just calculations. And the product only reads or sounds like text written by humans. It isn't the same.
- [45] So, when a large language model does legal research, it can generate text that identifies issues and arguments correctly. And it can draft passages of coherent reasoning. But it lacks judgment. That means it doesn't question or check its own work. It can't verify whether a case it cites to support an argument actually supports the argument. It can't critically assess a factual matrix to see if the authorities it relies on actually pertain to the facts in dispute.
- [46] A large language model also does not know the limits of its knowledge. An attribute of human judgment is knowing when to admit that you don't know something. Unlike ethical humans, a large language model is strongly

predisposed to giving an answer – any answer – rather than admitting ignorance.

- [47] Another aspect of human judgment or moral sense is that we know when we are making things up. But a large language model is not aware of when it is inventing something. That is because it is just calculating probabilities and assembling text that has a very high statistical likelihood of sounding coherent and authoritative.
- [48] These are some of the reasons why a large language model is – at least for now – incapable of reasoning like a real lawyer. It can't exercise judgment and has no moral sense. This leads it to fabricate legal authority. Or confidently invoke a real authority, while failing to grasp that the authority actually stands for a proposition wholly unrelated to the principle that the large language model boldly asserts.
- [49] Even though a large language model can't think like a lawyer, it does not follow that lawyers should not use generative artificial intelligence. Rather – to state the obvious – they should use it responsibly.
- [50] It is possible to mitigate the risks of hallucination by using prompts that impose guardrails on the calculations that a large language model makes. If a lawyer who both understands the law and legal ethics learns to make more sophisticated prompts, this increases the likelihood that the output will be reliable. But prompt engineering is a skill that needs to be developed. And even then, the lawyer has to verify the output. Whether the lawyer is a novice or a skilled prompt engineer, they still have to review the content manually, and correct it where it is wrong or misleading.

The respondent used artificial intelligence irresponsibly

- [51] We now turn to the use of artificial intelligence in this case.
- [52] The respondent filed a factum, supplementary factum, affidavit, and supplementary affidavit dated November 14, 2025. These were all filed in support of his admissibility and bias motion.
- [53] All of these materials were produced using generative artificial intelligence. The tool the applicant used was hallucinating.
- [54] It referred to Tribunal cases that don't exist. For example, the applicant cited and hyperlinked the case of "*Law Society of Ontario v Mercer*, 2024 ONLSTH 136". But the hyperlink takes you to *Law Society of Ontario v Deokaran*, 2024 ONLSTH 136. This was because there is no case titled *Law Society of Ontario v Mercer*.

- [55] In other instances, the applicant cited cases that do exist but obviously don't support the legal proposition that the applicant had set out in his factum. For example, paragraph 6 of the applicant's factum states:

This outrageous overreach mirrors *Law Society of Ontario v. Marusic*, 2015 ONLSTH 81 at **para 29**, where sanctions were imposed for procedural excesses.... [emphasis added]

- [56] But here is what para 29 of *Marusic* actually says:

Funds in the amount of \$1,862,258.15 that remained in the mixed trust fund of SMM as of December 2014, (in relation to various clients and files of SMM) are subject to Law Society trusteeship under an order of the Superior Court of Justice. Additionally, according to Mr. Spagnuolo's affidavit, there exists a trust shortfall exceeding \$2 million in relation to the former operations of SMM.

- [57] Throughout his materials the applicant liberally cited the Tribunal's *Rules of Practice and Procedure*. He did so to support propositions of substantive law. But, as their title clearly indicates, the Rules are about process, not substantive law. For example, at paragraph 5 of his factum, the applicant stated:

Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7 at para 82, elevates procedural fairness to a cornerstone of regulatory justice bolstering the call for a new panel under **Rules 2.1** and 7.7, and sections 9 and 23(1) of the SPPA. [emphasis added]

- [58] Yet here is the text of Rule 2.1:

These rules are referred to as the Law Society Tribunal Rules of Practice and Procedure.

- [59] Not a single proposition of law in any of the applicant's materials was supported by a reliable authority. The result was gibberish.

- [60] Because the materials appeared to contain numerous hallucinated citations and wrong or misleading propositions of law, we issued a case management direction on November 25, 2025. The direction converted the hearing dates for the respondent's motion to cancel or vary into a case management conference. A copy of the direction is attached to these reasons as Appendix A. It includes a chart that identifies the many examples of hallucinated, wrong or misleading citations.

- [61] One purpose of the case management conference was to give the respondent an opportunity to explain how and why he submitted these materials.

[62] The respondent wrote to the Tribunal on November 30, 2025, admitting that he had used generative artificial intelligence. He admitted that he had failed to check the materials before submitting them. He apologized and undertook not to use generative artificial intelligence in preparing any further materials. This is what he said:

I accept there are numerous errors in the citations, hyperlinks and the application of the Tribunal Rules contained in my factum and supplementary factum. These errors are entirely my responsibility. They arose for [sic] my over-reliance on generative artificial intelligence tools (in particular Grok) to assist me in researching and drafting the documents while I was trying to manage filing these materials on my own. This came about when I was unable to retain a lawyer who was able to assist me during this process. I did not intend to mislead the Tribunal. I believed in good faith that the AI tools would produce accurate citations and reasoning. I now see that I failed to verify the output with sufficient care, and I sincerely apologies [sic] to the panel and to Ms. Worley for the resulting inaccuracies.

- [63] We permitted the respondent to file a new factum. Our December 4, 2025, direction to the parties clarified that we did not have the authority to make a finding of professional misconduct relating to the respondent's use of artificial intelligence. This is because the Law Society had not brought a conduct application in relation to this issue.
- [64] But we notified the respondent that we could consider his use of artificial intelligence if it were relevant to the issues that we did have authority to decide. We repeated this point in our reasons rejecting the respondent's admissibility and bias motion.¹⁶
- [65] We also indicated that we would decide the issue of costs of the admissibility and bias motion along with costs on the motion to cancel or vary. Our reasons rejecting the motion to cancel or vary explicitly notified the respondent that we would consider his use of artificial intelligence in deciding on the costs of the two motions.¹⁷
- [66] Even though we have repeatedly warned the respondent that we would consider his use of artificial intelligence, his submissions on costs say nothing on this point. The Law Society's position is that his use of artificial intelligence created unnecessary costs because of the loss of scheduled hearing days.

¹⁶ 2025 ONLSTH 186 at paras 41-45.

¹⁷ 2026 ONLSTH 33 at paras 60-68.

The consequences of using artificial intelligence irresponsibly

- [67] The conduct of the parties and its effect on the process is a standard factor to consider in assessing costs. We now assess the direct impact of the respondent's use of artificial intelligence on these proceedings.
- [68] The respondent admitted that he used generative artificial intelligence to produce his factum and supplementary factum, but then failed to check what it had generated. Although the respondent does not admit to this, the errors generated by the large language model also permeated the affidavit and supplementary affidavit that he submitted.
- [69] While we make no finding as to whether the respondent deliberately intended to deceive, the materials he submitted were deceptive, both in substance and tone. They were riddled with misstatements of the law, but dressed up in confident assertions. This is how large language models write, because – unlike humans – they are not capable of introspection or self-reflection. It does not matter that it was easy to detect the falsehoods. Their function was to try to convince the Law Society's counsel and us that they were accurate statements of the respondent's case, fully supported by valid authorities.
- [70] The respondent's written apology explains what he described as his "over-reliance on generative artificial intelligence". It came about because he was trying to "...manage filing these materials on my own". He said he "...was unable to retain a lawyer who was able to assist me during this process".
- [71] This is a non-explanation. What difference would it have made if he had a lawyer (or an army of lawyers) working for him? The respondent would still have been ultimately responsible for what he submitted to the Tribunal. Myers J. of the Ontario Superior Court provides this useful summary of a licensee's obligations:¹⁸

All lawyers have duties to the court, to their clients, and to the administration of justice.

It is the lawyer's duty to faithfully represent the law to the court.

It is the lawyer's duty not to fabricate case precedents and not to mis-cite cases for propositions that they do not support.

It is the lawyer's duty to use technology, conduct legal research, and prepare court documents competently.

It is the lawyer's duty to supervise staff and review material prepared for her signature.

¹⁸ *Ko v Li*, 2025 ONSC 2766 at paras 15-22.

It is the lawyer's duty to ensure human review of materials prepared by non-human technology such as generative artificial intelligence.

It should go without saying that it is the lawyer's duty to read cases before submitting them to a court as precedential authorities. At its barest minimum, it is the lawyer's duty not to submit case authorities that do not exist or that stand for the opposite of the lawyer's submission.

It is the litigation lawyer's most fundamental duty not to mislead the court.

- [72] In a British Columbia case also involving the irresponsible use of artificial intelligence, Masuhara J. said the following:¹⁹
- Citing fake cases in court filings and other materials handed up to the court is an abuse of process and is tantamount to making a false statement to the court. Unchecked, it can lead to a miscarriage of justice.
- [73] The respondent's failure to verify and correct the product of his prompts to a large language model was a failure of his responsibility as a party in these proceedings.
- [74] This is so for two reasons. First, whether or not the respondent had the specific intention to deceive us, he is responsible for submitting materials that were deceptive. Second, his submission of hallucinated materials distracted us and opposing counsel from the task at hand.
- [75] Our job was to hear and decide the respondent's motions. But his submission of hallucinated authorities launched us on a separate inquiry. First, we had to find out the extent of the deception. Next, we had to document it. Then we had to provide the parties an opportunity to comment on what we had discovered. Finally, we had to decide what to do with the hallucinated materials and how to get the proceedings back on track.
- [76] Throughout all of this, the Law Society was put to the time, cost, and effort of preparing and representing its position on the respondent's use of artificial intelligence.
- [77] As we note above, this led to the cancellation of scheduled hearings. We also needed two case management sittings to deal with the defective materials. All of this would have been avoided if the respondent had used artificial intelligence responsibly and checked his work. The respondent's actions showed a complete lack of respect for the administration of justice in relation to this case.

¹⁹ *Zhang v Chen*, 2024 BCSC 285 at para 29.

The respondent's conduct justifies a full costs award against him

- [78] We would have ordered the respondent to pay most of the costs of these motions even if he had not used artificial intelligence irresponsibly. He was unsuccessful on both motions, and – leaving aside the use of artificial intelligence – the litigation on these motions was unduly prolonged. In addition, it was reasonable to expect the Law Society to vigorously oppose the motions.
- [79] His irresponsible use of artificial intelligence is an additional and significantly aggravating factor when we consider his conduct in these motions.
- [80] There are a number of cases where courts have expressed their concern with the irresponsible use of artificial intelligence by awarding costs:
- In *National Indigenous Fisheries Institute v Canada (Fisheries and Oceans)*, the Federal Court awarded costs on a solicitor-client basis, although it noted that the irresponsible use of artificial intelligence was not the only factor in its decision.²⁰
 - In describing hallucinated materials as “atrocious and misleading”, the Registrar in Bankruptcy of the Ontario Superior Court imposed solicitor-client costs on a scale of 90% of the amounts claimed by a successful party.²¹
 - In *Reddy v Saroya*, the Alberta Court of Appeal imposed a costs award against counsel personally for having submitted hallucinated authorities.²²
 - In *Zhang v Chen*, the Supreme Court of British Columbia also awarded costs against counsel personally, noting the additional effort and expense caused by using artificial intelligence irresponsibly.²³
 - The Federal Court also awarded costs against counsel personally, and refused her request to have her identity anonymized as a result of the costs award.²⁴
 - In another decision of the Federal Court, the judge noted that it is unusual to impose costs against counsel personally yet decided that threshold was met and imposed a modest amount to be paid by counsel.²⁵
- [81] The common element in these cases is the imposition of cost sanctions at the strong end of the spectrum, whether on a solicitor-client basis or ordered

²⁰ 2026 FC 382 at para 63.

²¹ *Re Reza Khoshnik*, 2026 ONSC 1581 at para 173 - 174.

²² 2026 ABCA 20 at para 16.

²³ 2024 BCSC 285 at paras 40-43.

²⁴ *Yuehong v The Minister of Citizenship and Immigration*, 2025 FC 1837 at paras 100-108.

²⁵ *Hussein v Canada (Immigration, Refugees and Citizenship)*, 2025 FC 1138.

against counsel personally. In other words, the courts are denouncing the irresponsible use of artificial intelligence through cost sanctions.

- [82] There is one instance of a law society disciplinary tribunal assessing costs for the submission of hallucinated authorities in a conduct hearing. A self-represented student-at-law in Alberta appealed a penalty imposed on him by the Hearing Committee of the Law Society of Alberta. He was represented by counsel, and the penalty was imposed following a joint submission.
- [83] The student-at-law then appealed the penalty decision and represented himself before an Appeal Panel of the Law Society of Alberta. His appeal submissions contained a hallucinated case. The panel's reasoning on this point is as follows:²⁶

The LSA proffered an Estimated Statement of Costs on appeal. Following *Charkhandeh*, we would observe that the LSA was fully successful on every issue, and that this is a case in which costs ought to be awarded in full against the member. In terms of quantum, where the LSA's estimate included a full day appeal, we trust they will reduce the amount to accord for the fact the hearing did not take all day. But in considering what level of indemnity is required, and what costs burden would be fair, we find the most important factor in this case is Mr. Tiwana's conduct of the appeal, including his haphazard approach to attempting to adduce new evidence, and, more troubling, his conduct in briefing and arguing the appeal.

In particular, Mr. Tiwana admitted to using artificial intelligence (AI) to draft his appeal submissions, which led to a hallucinated case being cited, which LSA counsel had to run down. LSA counsel contacted Mr. Tiwana in advance of the hearing of the appeal because she could not find the case cited in Mr. Tiwana's appeal submissions. In response, Mr. Tiwana advised her that there was no such case, calling the cited case a "placeholder". In addition to that hallucination in the brief, Mr. Tiwana in oral argument repeatedly referred to a Law Society of BC case which had no relevance at all to this matter and did not support any of the propositions for which Mr. Tiwana proffered it. When asked to provide the style of cause and citation for the said case, Mr. Tiwana struggled to understand what that meant. While we appreciate that Mr. Tiwana was candid in admitting his use of AI, he did not seem to grasp the gravity of misusing it in this way, particularly in this setting, where he is arguing that his discipline was too harsh and his prospect for recovery is good. The misuse of AI to write his submissions, and in particular his reliance on a hallucinated case in his submissions, suggests otherwise, causes

²⁶ *Law Society of Alberta v Tiwana*, 2026 ABLs 7 at paras 24-25.

the Appeal Panel concern, and is grounds for concluding the LSA's estimate ought to be approved in full, subject to the minor reduction for hearing time to which we referred.

- [84] Our decision to award full costs to the Law Society is consistent with the approach taken in the various judicial decisions we cite above. The common thread is to emphasize the harm done by irresponsible use of artificial intelligence in cost awards.
- [85] This is the approach we adopt in this case. We would have awarded the Law Society most of its costs if the respondent had not used artificial intelligence as he did. However, his submission of false and misleading authorities justifies awarding full costs against the respondent. They are payable within 14 days.

ORDER

- [86] We make the following order:
1. The respondent will pay costs to the Law Society in the amount of \$31,150 by June 26, 2026.
 2. Interest shall accrue on any overdue part of these costs at a rate of 4% per year.

Appendix A

Case Management Direction

November 25, 2025

The panel has reviewed the applicant's November 14, 2025 factum, supplementary factum, affidavit and supplementary affidavit. These were all filed in support of his motion to exclude documents submitted by the Law Society on the grounds that they are inadmissible.

The panel is concerned with the intelligibility and reliability of the applicant's material

The panel has significant concerns with the materials submitted by the applicant. In particular, the applicant's factum, supplementary factum, affidavit and supplementary affidavit:

- cite several Tribunal decisions that do not appear to exist;
- reference authorities that exist, but do not appear to have any connection to the arguments the applicant is making;
- cite the same authorities to support arguments that are completely unrelated to one another;
- cite the Tribunal's Rules of Practice and Procedure to support propositions of substantive law, even though they are rules of procedure, and do not appear to have any connection to the arguments the applicant is making; and
- provide links to statutory and rule provisions that take the reader to the wrong sites. The link to the Tribunal's Rules leads to the following regulation: O Reg 167/07. The link to the Statutory Powers Procedure Act leads to a CanLII web page with the message "404 Error – Page not found".

In addition to the concerns with the intelligibility of the applicant's materials, the supplementary factum and supplementary affidavit do not appear to have any relevance to the issues raised in the applicant's Notice of Motion. The Notice of Motion seeks the exclusion of materials filed by the Law Society and the recusal of the panel. The supplementary factum and supplementary affidavit do not address these issues.

The December 4 date is converted to a case management conference

Because of these concerns, the panel is converting the December 4 date (scheduled for the hearing of the applicant's motion to vary the November 12, 2024 interlocutory suspension order) into a case management conference. The December 5 hearing date is vacated.

The case management conference will have three purposes:

1. To assist the panel in determining how to proceed with the applicant's motion to exclude documents submitted by the Law Society on the grounds that they are inadmissible.
2. To assist the panel in determining whether the submission of the factum, supplementary factum, affidavit and supplementary affidavit have a bearing on the merits of the applicant's motion to vary or cancel the interlocutory suspension of his licence.
3. To assist the panel in determining whether to exclude the supplementary factum and supplementary affidavit on the grounds that they do not address the issues raised in the Notice of Motion.

The parties are expected to prepare to address the matters below

At the case management conference, the applicant should be prepared to:

- explain how and why his factum, supplementary factum, affidavit and supplementary affidavit were created and submitted in their current form; and
- answer any of the questions set out in the table below.

Both parties should be prepared to address whether the submission of the factum, supplementary factum, affidavit and supplementary affidavit in their current form engage any of the following provisions:

- Rules of Professional Conduct – Rules 2.1-1; 5.1-1; 5.1-2 (e), (f), (g); 5.6-1
- Law Society Tribunal Rules of Practice and Procedure – Rules 1.1 (a), (g); 5.6(1).

Both parties should also be prepared to address whether the panel should exclude the supplementary factum and supplementary affidavit in deciding on the admissibility motion.

Specific concerns the panel has identified are set out below

Set out below is a table that details the examples the panel has identified. They are in the order that the examples appear in the factum and supplementary factum. The table includes questions the panel has about the existence or the relevance of the authority cited.

Type of authority	Citation	Applicant's argument	Question
Law Society Tribunal Rules	Rules 11.1; 11.2; 11.8	Factum, para 2: "These materials are glaringly irrelevant to the core issues (Rule 11.1), fatally undermined by their post-investigation origin (Rule 11.2), and so prejudicial as to demand exclusion without robust corroboration (Rule 11.8)"	Rule 11.1 reads: A panel may receive and rely on any facts agreed to by the parties without further proof or evidence. Rule 11.2 deals with affidavit evidence and cross-examination on affidavits. Rule 11.8 deals with previously admitted evidence. What is the relevance of the cited rules to the argument for which they are being cited?
Decision	Law Society of Ontario v. Kokavessis, 2020 ONLSTH 49	Factum, para 3: "In Law Society of Ontario v. Kokavessis, 2020 ONLSTH 49 at para 18, the Tribunal resoundingly excluded uncorroborated third-party materials for their lack of direct linkage to the licensee's conduct..."	A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Kokavessis. The link in the factum takes the reader to Law Society of Ontario v. Sayers, 2020 ONLSTH 49 (CanLII), < https://canlii.ca/t/j6ctq >. Does the cited decision exist?
Decision and Rule	Law Society of Upper Canada v. Darte, 2010 ONLSHP 18 Rule 11.8	Factum, para. 3: "Likewise, Law Society of Upper Canada v. Darte, 2010 ONLSHP 18 at para 15, categorically dismissed post-closure evidence as irrelevant	A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Darte. The link in the factum takes the reader to Law

		and stale, underscoring that such materials require extraordinary justification—conspicuously absent here—thus cementing the applicability of Rule 11.8.”	Society of Upper Canada v. Dunstan Dan Senjule, 2010 ONLSHP 18 (CanLII), < https://canlii.ca/t/28ksv >. Does the cited decision exist? Rule 11.8 deals with previously admitted evidence. What is the relevance of Rule 11.8 to the proposition asserted in the factum?
Decision	Law Society of Ontario v. Ejidike, 2016 ONLSTH 69	Factum, para.3: “Law Society of Ontario v. Ejidike, 2016 ONLSTH 69 at para 51, stands as a stark contrast, permitting new evidence only when it fundamentally shifts the risk assessment...”	Paragraph 51 of the decision deals with the test for an interlocutory suspension. What is the relevance of this paragraph to the proposition asserted in the factum?
Decision	Law Society of Ontario v. Qureshi, 2023 ONLSTH 92	Factum, para.3: “Law Society of Ontario v. Qureshi, 2023 ONLSTH 92 at para 22, delivers a decisive blow by excluding evidence lacking contemporaneous support, exposing the LSO’s materials—compiled months after closure—as unreliable and untethered from the original allegations.”	A search of the Law Society decisions database in CanLII reveals four decisions involving a licensee whose surname is Qureshi. The link in the factum takes the reader to Law Society of Ontario v. Sanders, 2023 ONLSTH 92 (CanLII), < https://canlii.ca/t/jz5kl > Does the cited decision exist?
Decision	Law Society of Ontario v.	Factum, para.3: “Law Society of Ontario v. Mercer, 2024 ONLSTH	A search of the Law Society decisions database in CanLII reveals

	Mercer, 2024 ONLSTH 136	136 at para 30, insists that evidence must be probative and non-cumulative...”	no case involving a licensee whose surname is Mercer. The link in the factum takes the reader to Law Society of Ontario v. Deokaran, 2024 ONLSTH 136 (CanLII), https://canlii.ca/t/k81rn Does the cited decision exist?
Decision	Law Society of Ontario v. Borkovich, 2015 ONLSTH 36	Factum, para. 3: “Law Society of Ontario v. Borkovich, 2015 ONLSTH 36 at para 25, roundly rejected speculative evidence absent concrete public safety risks...”	Paragraph 25 of Borkovich states the second branch of the test for an interlocutory suspension. What is the relevance of this paragraph to the proposition asserted in the factum?
Decision and Rule	Law Society of Ontario v. Adams, 2019 ONLSTH 17	Factum, para.3: “Law Society of Ontario v. Adams, 2019 ONLSTH 17 at para 14, excoriated the LSO for procedural lapses in evidence presentation, a critique that resonates with the failed service and outdated filings documented in Exhibits B and C to Calaitzis’ Affidavit, further eroding admissibility under Rule 11.2.”	A search of the Law Society decisions database in CanLII reveals four decisions involving a licensee whose surname is Adams. The link in the factum takes the reader to Law Society of Ontario v. Lipkowski, 2019 ONLSTH 17 (CanLII), https://canlii.ca/t/hx68k Does the cited decision exist? Rule 11.2 deals with affidavit evidence and cross-examination on affidavits. What is the relevance of this rule to the proposition asserted in the factum?

Decision	AA v. Law Society of Ontario, 2023 ONLSTH 99	Factum, para. 5: "...AA v. Law Society of Ontario, 2023 ONLSTH 99 at para 61, where recusal was mandated to purge the taint of uncorroborated evidence."	Paragraph 61 of AA deals with an applicant's remorse in the context of a good character application. What is the relevance of this paragraph to the proposition asserted in the factum?
Decision	Law Society of Ontario v. Patey, 2018 ONLSTH 55	Factum, para. 5: "Law Society of Ontario v. Patey, 2018 ONLSTH 55 at para 28, offers a compelling parallel, ordering panel reconstitution after exposure to prejudicial pre-hearing materials..."	A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Patey. The link in the factum takes the reader to Mavji v. Law Society of Upper Canada, 2018 ONLSTH 55 (CanLII), https://canlii.ca/t/hrtsn Does the cited decision exist?
Decision, Rules and SPPA	Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7	Factum, para. 5: "Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7 at para 82, elevates procedural fairness to a cornerstone of regulatory justice bolstering the call for a new panel under Rules 2.1 and 7.7, and sections 9 and 23(1) of the SPPA."	Paragraph 82 of the decision discusses solicitor-client privilege. What is the relevance of this paragraph to the proposition asserted in the factum? Rule 2.1 states: These rules are referred to as the Law Society Tribunal <i>Rules of Practice and Procedure</i> . Rule 7.7 states: The purpose of a pre-hearing conference is to facilitate the just and most expeditious disposition of a proceeding.

			<p>S.9 of the SPPA deals with the form of hearings.</p> <p>S.23(1) gives tribunals general powers to control an abuse of process.</p> <p>What is the relevance of any of these provisions to the proposition asserted in the factum?</p>
Rule	Rule 11.9	Factum, para. 6: “The LSO’s unauthorized post-closure scavenging of materials by Amanda Worley, particularly from Alijanpour, coupled with the inclusion of extraneous documents, constitutes a flagrant abuse of process under Rule 11.9.”	<p>Rule 11.9 deals with limits on examination or cross-examination.</p> <p>What is the relevance of any of this rule to the proposition asserted in the factum?</p>
Decision	Law Society of Ontario v. Marusic, 2015 ONLSTH 81	Factum, para. 6: “This outrageous overreach mirrors Law Society of Ontario v. Marusic, 2015 ONLSTH 81 at para 29, where sanctions were imposed for procedural excesses...”	<p>Paragraph 29 of the decision is a neutral statement of fact particular to that case.</p> <p>What is the relevance of this paragraph to the proposition asserted in the factum?</p>
Decision	Law Society of Ontario v. Gonsalves, 2021 ONLSTH 72	Factum, para. 6: “This outrageous overreach mirrors... Law Society of Ontario v. Gonsalves, 2021 ONLSTH 72 at para 33, where costs punished the LSO’s	<p>A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Gonsalves.</p> <p>The link in the factum takes the reader to Law Society of Ontario v.</p>

		overzealous evidence tactics.”	Mazinani, 2021 ONLSTH 72 (CanLII), < https://canlii.ca/t/jfwlv > Does the cited decision exist?
Decision	Law Society of Ontario v. Tadesse, 2020 ONLSTH 88	Factum, para. 6: “The prejudice to Mazaheri and the undue strain on Tribunal resources demand a strong deterrent, as affirmed in... Law Society of Ontario v. Tadesse, 2020 ONLSTH 88 at para 40, which awarded costs for abusive process.	A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Tadesse. The link in the factum takes the reader to Law Society of Ontario v. Walman, 2020 ONLSTH 88 (CanLII), < https://canlii.ca/t/j8ntz > Does the cited decision exist?
Decision	Law Society of Ontario v. Ejidike, 2016 ONLSTH 69	Supplementary Factum, para. 2: “This aligns with Law Society of Ontario v. Ejidike, 2016 ONLSTH 69 (para 51), where new evidence led to a suspension’s set-aside...”	Paragraph 51 of the decision discusses the risk of harm in the first branch of the test for an interlocutory suspension. What is the relevance of this paragraph to the proposition asserted in the factum?
Decision	Law Society of Ontario v. Marusic, 2015 ONLSTH 81	Supplementary Factum, para. 2: “This aligns with ...Law Society of Ontario v. Marusic, 2015 ONLSTH 81 (para 29), where variation was warranted...”	Paragraph 29 of the decision is a neutral statement of fact particular to that case. What is the relevance of this paragraph to the proposition asserted in the factum?
Decision	R. v. Khelawon, [2006] 2 SCR 787	Supplementary factum, para. 3: “The absence of	Paragraph 49 of the decision deals with the pre-conditions to the

		documentation or testimony to substantiate this claim renders it speculative and inadmissible (R. v. Khelawon, [2006] 2 SCR 787, para 49)."	admission of hearsay evidence in criminal trials as a principled exception to the hearsay rule. What is the relevance of this paragraph to the proposition asserted in the factum?
Rule	Rule 12.3	Supplementary factum, para. 5: "This is supported by Mazaheri's original Affidavit (para 16), and the LSO's failure to acknowledge Yack's role distorts the facts, breaching Rule 12.3."	Rule 12.3 reads: If the motion relates to a proceeding where the Hearing Division has not started a hearing on the merits, the Law Society shall obtain the authorization of the Proceedings Authorization Committee to bring an interlocutory suspension or restriction motion. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.5	Supplementary factum, para. 6: "This retrospective evidence violates Rule 12.5's focus on contemporaneous facts."	Rule 12.5 reads: Unless ordered otherwise, an interim interlocutory suspension or restriction order remains in effect until the interlocutory suspension or restriction motion is determined. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.4	Supplementary factum, para. 7: "Contrary to the LSO's position, it was Ms. Pogorelovsky's friend who encouraged equity release in her mother's property and recommended Ms.	Rule 12.4 deals with serving and filing documents on an interlocutory suspension or restriction motion. What is the relevance of this rule to the proposition asserted in the factum?

		Yousefi as a mortgage broker. Ms. Yousefi secured \$1,350,000 from CIBC for Ms. Pogorelovsky, a fact supported by undisclosed documentation (Mazaheri's original Affidavit, para 19–20), which the LSO has ignored, breaching Rule 12.4's fairness mandate."	
Rule	Rule 12.3	Supplementary factum, para. 8: "The LSO's exaggeration lacks evidence, violating Rule 12.3."	Rule 12.3 reads: If the motion relates to a proceeding where the Hearing Division has not started a hearing on the merits, the Law Society shall obtain the authorization of the Proceedings Authorization Committee to bring an interlocutory suspension or restriction motion. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.1	Supplementary factum, para. 9: "Ms. Pogorelovsky's trust in Yack, acknowledged by the LSO (LSO Factum, para [insert para]), and the absence of evidence of Mazaheri's retention by Maxol (Mazaheri's original Affidavit, para 16) refute any such claim, undermining Rule 12.1's evidentiary standard."	Rule 12.1 reads: (1) On the motion of the Law Society, the Tribunal may make an interlocutory order suspending a licence or restricting the manner in which a licensee may practise law or provide legal services. (2) On the motion of a licensee or the Law Society, the Tribunal may vary or cancel an

			interlocutory order made under this rule. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.4	Supplementary factum, para. 10: “The LSO’s evidence confirms Yack’s November 2022 conflict disclosure, after which Ms. Pogorelovsky chose not to seek other legal advice and continued to rely on Yack (Mazaheri’s original Affidavit, para 16). The LSO’s omission of this context breaches Rule 12.4.”	Rule 12.4 deals with serving and filing documents on an interlocutory suspension or restriction motion. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.3	Supplementary factum, para. 11: “The commitment letters cited by the LSO are unsigned and unenforceable (Mazaheri’s original Affidavit, para 26–29), and the LSO’s reliance on them fails Rule 12.3’s reliability standard.”	Rule 12.3 reads: If the motion relates to a proceeding where the Hearing Division has not started a hearing on the merits, the Law Society shall obtain the authorization of the Proceedings Authorization Committee to bring an interlocutory suspension or restriction motion. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.4	Supplementary factum, para. 12: “Mazaheri’s interview confirms that Mazaheri’s recollection is that bank drafts were given	Rule 12.4 deals with serving and filing documents on an interlocutory suspension or restriction motion.

		to Mazaheri by Ms. Yousefi, not Ms. Pogorelovsky, which were transferred to Yack and the lawyer, Davidnder Singh at RSG Law, under a corporate loan agreement secured by a personal guarantee (Exhibit G), contradicting the LSO’s narrative and violating Rule 12.4.”	What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.1	Supplementary factum, para. 13: “The LSO admits Ms. Pogorelovsky received returns via Skymark cheques and sought Yack’s advice post-default, supporting Mazaheri’s non-involvement (Mazaheri’s original Affidavit, para 19), and weakening the LSO’s risk argument under Rule 12.1.”	Rule 12.1 reads: (1) On the motion of the Law Society, the Tribunal may make an interlocutory order suspending a licence or restricting the manner in which a licensee may practise law or provide legal services. (2) On the motion of a licensee or the Law Society, the Tribunal may vary or cancel an interlocutory order made under this rule. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.3	Supplementary factum, para. 14: “It was Yack, not Mazaheri, who discharged the Pugsley property mortgage (Mazaheri’s original Affidavit, para 16), and the LSO’s error breaches Rule 12.3’s accuracy requirement.”	Rule 12.3 reads: If the motion relates to a proceeding where the Hearing Division has not started a hearing on the merits, the Law Society shall obtain the authorization of the Proceedings Authorization Committee to bring an interlocutory suspension or restriction motion.

			What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.1	Supplementary factum, para. 15: “Mazaheri believes there is no criminal record for Missaghi or judgments (Mazaheri’s original Affidavit, para 30–34), and the LSO’s assumption by inclusion of indictment lacks evidence, violating Rule 12.1.”	<p>Rule 12.1 reads: (1) On the motion of the Law Society, the Tribunal may make an interlocutory order suspending a licence or restricting the manner in which a licensee may practise law or provide legal services.</p> <p>(2) On the motion of a licensee or the Law Society, the Tribunal may vary or cancel an interlocutory order made under this rule.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Decision and Rule	Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7 Rule 12.2	Supplementary factum, para. 17: “Suggesting that representation in civil or criminal proceedings contravenes the Rules breaches the fundamental right to counsel (Canada (Attorney General) v. Federation of Law Societies of Canada, 2015 SCC 7, para 82), and this allegation lacks specific evidence, violating Rule 12.2.”	<p>Paragraph 82 of the decision discusses solicitor-client privilege.</p> <p>What is the relevance of this paragraph to the proposition asserted in the factum?</p> <p>Rule 12.2 reads: Rule 8 applies to interlocutory suspension or restriction motions, except where it differs from this rule.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Decision	Law Society of Ontario v. Qureshi, 2023 ONLSTH 92	Supplementary factum, para. 18: “The LSO’s position contrasts with Law	A search of the Law Society decisions database in CanLII reveals four decisions involving a

		Society of Ontario v. Qureshi, 2023 ONLSTH 92, which upheld a suspension due to ongoing trust account irregularities (para 34)…”	licensee whose surname is Qureshi. The link in the factum takes the reader to Law Society of Ontario v. Sanders, 2023 ONLSTH 92 (CanLII), https://canlii.ca/t/jz5kl > Does the cited decision exist?
Decision	Law Society of Ontario v. Mercer, 2024 ONLSTH 136	Supplementary factum, para. 18: “...Law Society of Ontario v. Mercer, 2024 ONLSTH 136, set aside a suspension where the LSO failed to prove a disputed signature’s authenticity (para 45)…”	A search of the Law Society decisions database in CanLII reveals no case involving a licensee whose surname is Mercer. The link in the factum takes the reader to Law Society of Ontario v. Deokaran, 2024 ONLSTH 136 (CanLII), https://canlii.ca/t/k81rn > Does the cited decision exist?
Rule	Rule 12.8	Supplementary factum, para. 19: “The absence of trust issues, Justice Myers’ findings (Exhibit D, para 15), and Missaghi’s non-directorship during the prescribed period (Supplementary Affidavit, para 21) distinguish this matter from Qureshi, reinforcing cancellation under Rule 12.8(2).”	Rule 12.8 reads: A party starts a request to vary or cancel an interlocutory suspension or restriction order by serving and filing a Motion – Vary or Cancel Interlocutory Suspension or Restriction (Form 8 or 9) and information sheet (Form 21 or 22). Rule 12.8 does not have any subsections. What is the relevance of this rule to the proposition asserted in the factum?
Rule	Rule 12.4	Supplementary factum, para. 20:	Rule 12.4 deals with serving and filing

		<p>“Mazaheri’s interview (LSO Record) confirmed Mazaheri’s representation was limited to Saarad and Ms. Yousefi, with no Maxol involvement (Mazaheri’s original Affidavit, paras 30–34), and the LSO’s failure to provide counterevidence breaches Rule 12.4’s fairness requirement.”</p>	<p>documents on an interlocutory suspension or restriction motion.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Rule	Rule 12.1	<p>Supplementary factum, para. 21: “Mazaheri was not involved in Maxol’s risk assessment, a role outside legal practice unless retained, with no evidence of such a retainer (Mazaheri’s original Affidavit, paras 6–7), and the LSO’s assumption violates Rule 12.1’s evidentiary threshold.”</p>	<p>Rule 12.1 reads: (1) On the motion of the Law Society, the Tribunal may make an interlocutory order suspending a licence or restricting the manner in which a licensee may practise law or provide legal services.</p> <p>(2) On the motion of a licensee or the Law Society, the Tribunal may vary or cancel an interlocutory order made under this rule.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Rule	Rule 12.1	<p>Supplementary factum, para. 22: “The LSO’s suspicious stance lacks concrete evidence of public danger (Law Society of Ontario v. Borkovich, 2015 ONLSTH 36, para 25), failing Rule 12.1’s threshold.”</p>	<p>Rule 12.1 reads: (1) On the motion of the Law Society, the Tribunal may make an interlocutory order suspending a licence or restricting the manner in which a licensee may practise law or provide legal services.</p> <p>(2) On the motion of a licensee or the Law</p>

			<p>Society, the Tribunal may vary or cancel an interlocutory order made under this rule.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Rule	Rule 12.3	<p>Supplementary factum, para. 23: “The LSO’s reliance on Alijanpour’s documents exaggerates Mazaheri’s role as counsel for a Notice of Intent, lacking evidence of misconduct, and breaches Rule 12.3.”</p>	<p>Rule 12.3 reads: If the motion relates to a proceeding where the Hearing Division has not started a hearing on the merits, the Law Society shall obtain the authorization of the Proceedings Authorization Committee to bring an interlocutory suspension or restriction motion.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Rule	Rule 12.2	<p>Supplementary factum, para. 26: “Corporate search evidence shows Missaghi was not a director when charges were laid (Mazaheri’s original Affidavit, para 30), refuting the assertion and meeting Rule 12.2’s specificity requirement.”</p>	<p>Rule 12.2 reads: Rule 8 applies to interlocutory suspension or restriction motions, except where it differs from this rule.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
Decision and rule	<p>Law Society of Ontario v. Marusic, 2015 ONLSTH 81</p> <p>Law Society of Ontario v. Ejidike, 2016 ONLSTH 69</p>	<p>Supplementary factum, para. 27: “The material change— investigation closure and Justice Myers’ ruling—justifies varying or cancelling the order, as supported by Marusic</p>	<p>Paragraph 29 of Marusic is a neutral statement of fact particular to that case.</p> <p>What is the relevance of this paragraph to the proposition asserted in the factum?</p>

	Rule 12.8	(para 29) and Ejidike (para 51), reinforcing Mazaheri’s motion under Rule 12.8(2) (see para 2 above).”	<p>Paragraph 51 of Ejidike discusses the risk of harm in the first branch of the test for an interlocutory suspension.</p> <p>What is the relevance of this paragraph to the proposition asserted in the factum?</p> <p>Rule 12.8 reads: A party starts a request to vary or cancel an interlocutory suspension or restriction order by serving and filing a Motion – Vary or Cancel Interlocutory Suspension or Restriction (Form 8 or 9) and information sheet (Form 21 or 22).</p> <p>Rule 12.8 does not have any subsections.</p> <p>What is the relevance of this rule to the proposition asserted in the factum?</p>
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