



October 12, 2018

**FOR IMMEDIATE RELEASE**

### **TOWN TO RETURN TO COURT IN ALTMANN LITIGATION**

**WHITCHURCH-STOUFFVILLE** – On September 10<sup>th</sup>, 2018 the Ontario Superior Court of Justice ordered that Whitchurch-Stouffville Mayor Justin Altmann and others return confidential information to the Town. It also ordered that Altmann and certain others “shall be prohibited from using, reproducing, disseminating or otherwise disclosing the Confidential Information.”

The Court order has helped the Town to recover its records of confidential information, including from Altmann (who agreed to the order without admitting liability). The Town’s effort to recover records continues, but at this time the Town believes that most have been recovered.

While Altmann returned some records, it recently came to the Town’s attention that Altmann was nonetheless giving public speeches about the very information he had returned to the Town – confidential information about former Town employees. The Town warned Altmann that he was in breach of the Court order, but he dismissed the warning (via legal counsel) and gave another public address in which he again disclosed the Town’s confidential information.

The Town has therefore decided to return to Court and seek a declaration that Altmann is in contempt. The parties have an appointment to appear before a judge on October 19<sup>th</sup> to address scheduling.

The Town respects Altmann's right of expression and does not seek to interfere in his campaign, but Altmann is bound by the Court's order. He must not disclose the Town's confidences and must abide by the Court order, a particular concern to the Town given the information relates to its former employees.

## **Background**

In the first week of June, it was reported to the Town of Whitchurch-Stouffville's Chief Administrative Officer that Mayor Justin Altmann distributed confidential information and personnel records to members of the public. This release of information relates to matters previously investigated by the Town's Integrity Commissioner involving a Council Code of Conduct complaint against the Mayor.

As Mayor, Altmann has a duty to protect confidential information and abide by the Town's rules, by-laws and Code of Conduct. Mayor Altmann was asked to assist with the return of the confidential material, and when that assistance was not forthcoming, the Town commenced legal proceedings.

In the summer of 2017 personal and confidential information was photocopied and included in binders that were provided to individuals. This included the personal information of 24 current and former employees, including overtime claims, salary information and employment history. The information also included descriptions of 14 closed session Council matters and documents contrary to the Town's by-laws.

On September 10<sup>th</sup>, 2018, the Superior Court ordered that:

- Altmann identify and deliver to the Town any and all records that include Confidential Information in his possession, power or control;
- Altmann identify any and all individuals and/or third parties to whom he distributed physical or electronic copies of records containing any Confidential Information by way of a sworn affidavit; and
- Any individuals and/or third-parties to whom Altmann has distributed Confidential Information to identify and deliver to the Town any and all records that include Confidential Information in their possession
- Altmann and/or third-parties shall be prohibited from using, reproducing, disseminating or otherwise disclosing the Confidential Information.

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