

Court of Appeal Court File No.:
Superior Court of Justice Court File No.: CV-25-00000750-0000
CV-25-00001341-0000

COURT OF APPEAL FOR ONTARIO

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant
(Appellant)

and

**JOSEPHINA DUGAS, TERRA-LYNN WEBER, AVERY AMENT, AARON PRICE,
JEREMY LINTON, JEREMY NICHOL, JAMES HAMMOND, JAKOB STUBBS, JAMES
DAVIS, JASON PAUL, NOAH HELSBY, JOSEPH BRADLEY, JOSEPH SADLER,
JULIE YOUNG, KYLE YORK, MEGAN LOPES, STEPHANIE MCMILLAN, JEFFREY
COUTO, JORDAN CAMM, TERRANCE COLE, XANDER HARKER, CHARLES
KOCHER, ALINE JEFFERY, MICHAEL JEFFERY, AND PERSONS UNKNOWN**

Respondents
(Respondents in Appeal)

APPELLANT'S CERTIFICATE

The Appellant certifies that the following evidence is required for the Appeal, in the Appellant's opinion:

1. Application Record dated June 16, 2025, containing:
 - (a) Amended Notice of Application, dated June 16, 2025
 - (b) Affidavit of Peter Sweeney, affirmed June 6, 2025
 - (c) Affidavit of Douglas John Spooner, affirmed June 6, 2025
2. Reply Application Record dated July 31, 2025, containing:
 - (a) Affidavit of Brent Wood, affirmed June 26, 2025

- (b) 2nd Affidavit of Peter Sweeney, affirmed July 2, 2025
 - (c) 3rd Affidavit of Peter Sweeney, affirmed July 31, 2025
3. Supplementary Application Record dated March 10, 2026, containing:
- (a) Further Amended Notice of Application, dated March 10, 2026
 - (b) Expert Affidavit of Dr. Sharon Koivu, affirmed September 11, 2025
 - (c) 4th Affidavit of Peter Sweeney, affirmed September 12, 2025
 - (d) Affidavit of Dilupneet Kang, affirmed January 9, 2026
 - (e) Affidavit of Aaron Moss, affirmed January 16, 2026
 - (f) 5th Affidavit of Peter Sweeney, affirmed February 27, 2026
4. Joint Transcript Brief dated March 13, 2026, containing:
- (a) Transcript of the Cross-Examination of Aaron El Sabrout, held on July 14, 2025
 - (b) Transcript of the Cross-Examination of Angela Allt, held on July 14, 2025
 - (c) Transcript of the Cross-Examination of David Alton, held on July 10, 2025
 - (d) Transcript of the Cross-Examination of Eddy Grignon, held on July 10, 2025
 - (e) Transcript of the Cross-Examination of Jacara Droog, held on July 14, 2025
 - (f) Transcript of the Cross-Examination of Jakob Stubbs, held on July 10, 2025

- (g) Transcript of the Cross-Examination of Sara Escobar, held on July 11, 2025
- (h) Transcript of the Cross-Examination of Dr. Stephen Hwang, held on July 11, 2025
- (i) Transcript of the Cross-Examination of Peter Sweeney, held on July 11, 2025
- (j) Transcript of the Cross-Examination of Dr. Stephen Gaetz, held on December 2, 2025
- (k) Transcript of the Cross-Examination of Dr. Laura Pin, held on December 3, 2025
- (l) Transcript of the Cross-Examination of Maggie Helwig, held on December 3, 2025
- (m) Transcript of the Cross-Examination of Lee Ann Hundt, held on December 10, 2025
- (n) Transcript of the Cross-Examination of Dr. Sharon Koivu, held on December 11, 2025
- (o) Transcript of the 2nd Cross-Examination of Peter Sweeney, held on December 11, 2025
- (p) Transcript of the Continued 2nd Cross-Examination of Peter Sweeney, held on December 12, 2025

- (q) Transcript of the Cross-Examination of Dr. Bernie Pauly, held on December 15, 2025
- (r) Transcripts of the Cross-Examination of Dr. Sahil Gupta, held on January 7, 2026
- (s) Transcript of the Cross-Examination of Marie-Josée Houle, held on January 7, 2026
- (t) Transcript of the Cross-Examination of Dr. Kaitlin Schwan, held on January 9, 2026
- (u) Transcript of the Cross-Examination of Aaron Moss, held on February 13, 2026
- (v) Transcript of the 2nd Cross-Examination of Sara Escobar, held on March 2, 2026
- (w) Transcript of the Cross-Examination of Julie Kalbfleisch, held on March 3, 2026
- (x) Transcript of the 2nd Cross-Examination of Dr. Laura Pin, held on March 3, 2026
- (y) Transcript of the Cross-Examination of Doug Spooner, held on March 6, 2026
- (z) Transcript of the 3rd Cross-Examination of Peter Sweeney, held on March 6, 2026

5. Applicant's Brief of Answers to Undertakings dated March 31, 2026, containing:
 - (a) Answers to Undertakings from the Cross-Examination of Peter Sweeney on July 11, 2025
 - (b) Answers to Undertakings from the 2nd and 3rd Cross-Examinations of Peter Sweeney on December 11 and 12, 2025 and March 6, 2026
 - (c) Answers to Undertakings from the Cross-Examination of Dr. Sharon Koivu on December 11, 2025
 - (d) Answers to Undertakings from the Cross-Examination of Aaron Moss on February 13, 2026
 - (e) Answers to Undertakings from the Cross-Examination of Doug Spooner on March 6, 2026
6. Applicant's Supplementary Brief of Answers to Undertakings dated April 1, 2026, containing:
 - (a) Updated Answers to Undertakings from the Cross-Examination of Doug Spooner on March 6, 2026
7. Second Affidavit of Aaron Moss affirmed April 8, 2026
8. Responding Application Record dated July 9, 2025, containing:
 - (a) Affidavit of Aaron Price, sworn May 6, 2025
 - (b) Affidavit of Avery Ament, sworn June 23, 2025

- (c) Affidavit of Calvin Sharpe, sworn May 30, 2025
- (d) Affidavit of Jakob Stubbs, sworn June 23, 2025
- (e) Affidavit of James Davis, sworn June 20, 2025
- (f) Affidavit of James Hammond, sworn May 2, 2025
- (g) Affidavit of Jason Paul, sworn June 16, 2025
- (h) Affidavit of Jeremy Linton, sworn May 6, 2025
- (i) Affidavit of Jeremy Nichol, sworn May 8, 2025
- (j) Affidavit of Joseph Bradley, sworn May 9, 2025
- (k) Affidavit of Joseph Sadler, sworn July 9, 2025
- (l) Affidavit of Josephina Dugas, sworn May 7, 2025
- (m) Affidavit of Julie Young, sworn June 13, 2025
- (n) Affidavit of Kyle York, sworn June 17, 2025
- (o) Affidavit of Matthew Stefanc, sworn May 6, 2025
- (p) Affidavit of Megan Lopes, sworn June 18, 2025
- (q) Affidavit of Noah Helsby, sworn May 15, 2025
- (r) Affidavit of Stephanie McMillan, sworn May 13, 2025
- (s) Supplemental Affidavit of Stephanie McMillan, sworn June 17, 2025

- (t) Affidavit of Terra-Lynn Weber, sworn May 6, 2025
 - (u) Affidavit of Warren Loppie, sworn July 9, 2025
 - (v) Affidavit of Aaron El Sabrout, sworn July 7, 2025
 - (w) Affidavit of Angela Allt, sworn June 20, 2025
 - (x) Affidavit of David Alton, sworn June 23, 2025
 - (y) Affidavit of Emily “Eddy” Grignon, sworn May 12, 2025
 - (z) 2nd Affidavit of Emily “Eddy” Grignon, sworn July 7, 2025
 - (aa) Affidavit of Jacara Droog, sworn May 15, 2025
 - (bb) 2nd Affidavit of Jacara Droog, sworn June 4, 2025
 - (cc) Affidavit of Julie Lukezic, sworn May 8, 2025
 - (dd) Affidavit of Laura Pin, sworn July 9, 2025
 - (ee) Affidavit of Margaret Chee, sworn May 13, 2025
 - (ff) Affidavit of Sara Escobar, sworn June 23, 2025
 - (gg) 2nd Affidavit of Sara Escobar, sworn July 7, 2025
 - (hh) Affidavit of Sarah Magdalen Helwig, sworn July 2, 2025
 - (ii) Affidavit of Lynn Kubis, sworn July 7, 2025
9. Amended Affidavit of James Davis affirmed June 20, 2025

10. Supplemental Responding Application Record dated August 15, 2025, containing:
 - (a) Affidavit of Lee Ann Hundt, sworn August 15, 2025
 - (b) Affidavit of Dr. Stephen Hwang, sworn May 6, 2025
 - (c) Acknowledgement of Expert's Duty of Dr. Stephen Hwang, dated June 4, 2025
 - (d) Affidavit of Dr. Laura Pin, sworn July 9, 2025
 - (e) Acknowledgement of Expert's Duty of Dr. Laura Pin, dated August 13, 2025
 - (f) Affidavit of Dr. Sahil Gupta, sworn August 15, 2025
 - (g) Acknowledgement of Expert's Duty of Dr. Sahil Gupta, dated August 15, 2025
 - (h) Affidavit of Dr. Stephen Gaetz, sworn August 15, 2025
 - (i) Acknowledgement of Expert's Duty of Dr. Stephen Gaetz, dated August 15, 2025
 - (j) Affidavit of Dr. Bernadette Pauly, sworn August 14, 2025
 - (k) Acknowledgement of Expert's Duty of Dr. Bernadette Pauly, dated August 14, 2025
 - (l) Affidavit of Dr. Kaitlin Schwan, sworn August 15, 2025

- (m) Acknowledgement of Expert's Duty of Dr. Kaitlin Schwan, dated August 15, 2025
- (n) Affidavit of Marie-Josée Houle, sworn August 15, 2025
- (o) Acknowledgement of Expert's Duty of Marie-Josée Houle, dated August 15, 2025

11. Second Supplemental Responding Application Record dated February 20, 2026, containing:

- (a) 2nd Affidavit of Megan Lopes, sworn October 10, 2025
- (b) Affidavit of Terrance Cole, sworn October 10, 2025
- (c) Affidavit of Jordan Camm, sworn October 15, 2025
- (d) Affidavit of Jeffrey Lima Couto, sworn October 15, 2025
- (e) Affidavit of Xander Harker, sworn October 15, 2025
- (f) Affidavit of Charles Kocher, sworn January 13, 2026
- (g) Affidavit of Aline Jeffery, sworn January 21, 2026
- (h) Affidavit of Michael Jeffery, sworn January 21, 2026
- (i) Affidavit of Julie Kalbfleisch, sworn February 12, 2026
- (j) Affidavit of Carine Lee Nind, sworn February 20, 2026

- (k) 3rd Affidavit of Sara Escobar, sworn February 20, 2026
 - (l) 2nd Affidavit of Laura Pin, sworn February 20, 2026
12. Second Affidavit of Aaron El Sabrout, affirmed April 8, 2026
13. Respondents' Brief of Answers to Undertakings dated March 31, 2026, containing:
- (a) Answers to Undertakings from the Cross-Examination of Jacara Droog on July 14, 2025
 - (b) Answers to Undertakings from the Cross-Examination of Aaron El Sabrout on July 14, 2025
 - (c) Answers to Undertakings from the Cross-Examination of Dr. Laura Pin on December 3, 2025
 - (d) Answers to Undertakings from the Cross-Examination of Lee Ann Hundt on December 10, 2025
 - (e) Answers to Undertakings from the Cross-Examination of Dr. Sahil Gupta on January 7, 2026
 - (f) Answers to Undertakings from the Cross-Examination of Marie-Josee Houle on January 7, 2026
 - (g) Answers to Undertakings from the Cross-Examination of Julie Kalbfleisch on March 4, 2026

14. Respondents' Amended Notice of Application dated October 22, 2025 (Court file no. CV-25-00001341-0000)

15. Respondents' Notice of Constitutional Question dated February 26, 2026

June 22, 2026.

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COURT OF APPEAL FOR ONTARIO

PROCEEDING COMMENCED AT TORONTO

**APPELLANT'S CERTIFICATE RESPECTING
EVIDENCE**

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