



Court File No.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Electronically issued  
Délivré par voie électronique : 18-Dec-2020  
Toronto

B E T W E E N:

(Court Seal)

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT LP,  
ANSON INVESTMENTS MASTER FUND LP AND MOEZ KASSAM

Plaintiffs

- and -

ROBERT LEE DOXTATOR, JACOB DOXTATOR AND JOHN DOE 1,  
JOHN DOE 2, JOHN DOE 3, JOHN DOE 4 AND OTHER PERSONS  
UNKNOWN

Defendants

**STATEMENT OF CLAIM**

TO THE DEFENDANTS

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 for 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 a 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.

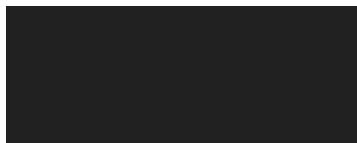
IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

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 \_\_\_\_\_ Issued by \_\_\_\_\_  
Local Registrar

Address of Superior Court of Justice  
court office: 330 University Avenue, 9th Floor  
Toronto ON M5G 1R7

TO: Robert Lee Doxtator



Jacob Doxtator



## TABLE OF CONTENTS

<b>A.</b>	<b>THE PLAINTIFFS.....</b>	<b>4</b>
<b>B.</b>	<b>THE DEFENDANTS.....</b>	<b>7</b>
<b>C.</b>	<b>OVERVIEW OF CLAIM.....</b>	<b>9</b>
<b>D.</b>	<b>THE DEFENDANTS' CONSPIRACY AGAINST THE PLAINTIFFS .....</b>	<b>15</b>
(i)	Beginning in late 2018, Robert develops animus towards Plaintiffs.	15
(ii)	In Summer 2019, Robert launches a Campaign to spread Unlawful Statements about the Plaintiffs .....	16
(iii)	In Summer 2020, the Conspiracy spreading Unlawful Statements about the Plaintiffs expands .....	20
	The July 23, 2020 Stockhouse Post.....	20
	The August 14, 2020 Stockhouse Post.....	23
	The August 17, 2020 Stockhouse Post.....	25
	The August 28, 2020 Stockhouse Post.....	27
(iv)	After the Plaintiffs expend resources to remove the Unlawful Stockhouse Statements, the Defendants conspire to expand the Conspiracy's online attack .....	28
(v)	The Defamatory Manifesto expands on previously published false statements and falsely states and implies that the Plaintiffs' behavior was illegal, unethical, and/or in violation of securities laws.....	30
(vi)	The Defendants procured at least eight internet domains to facilitate widespread publication of their Defamatory Manifesto.....	37
(vii)	The Defendants conspire to lead widespread dissemination of the Defamatory Manifesto .....	39
(viii)	Shortly after its publication, Robert attempts to leverage the Defamatory Manifesto to extract money from the Plaintiffs and magnify his attacks.....	43
(ix)	The Defamatory Manifesto was disseminated widely online .....	48
<b>E.</b>	<b>THE DEFENDANTS ARE LIABLE .....</b>	<b>50</b>
(i)	The Defendants' Tortious Conspiracy Against Anson .....	50
(ii)	False light .....	51
(iii)	Intentional interference with economic relations .....	51
(iv)	Appropriation of personality.....	52
(v)	Defamation .....	52

-2-

<b>The Unlawful Stockhouse Statements are Defamatory.....</b>	<b>53</b>
<b>The Defamatory Manifesto.....</b>	<b>57</b>
<b>Robert Lee Doxtator's Defamatory Tweets .....</b>	<b>61</b>
<b>Jacob Doxtator's Defamatory Tweets.....</b>	<b>64</b>
<b>The Unsolicited Emails are Defamatory .....</b>	<b>67</b>
<b>The Defendants were Malicious .....</b>	<b>68</b>
<b>F. DAMAGES .....</b>	<b>69</b>
<b>APPENDIX "A" – "Betting Bruiser" Tweets.....</b>	<b>72</b>
<b>APPENDIX "B" – "John Murphy" Tweets.....</b>	<b>91</b>

## CLAIM

1. The Plaintiffs, Anson Advisors Inc. ("AAI"), Anson Funds Management LP ("AFM"), Anson Investments Master Fund LP ("AIMF" and, together with AAI and AFM, "Anson") and Moez Kassam ("Kassam"), claim against the Defendants, Robert Lee Doxtator, Jacob Doxtator, John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the "Defendants"), jointly and severally, for
  - (a) general damages in the amount of \$100,000,000 for conspiracy, publicity that places the plaintiffs in a false light, intentional interference with economic relations, appropriation of personality and defamation;
  - (b) aggravated damages of \$1,000,000;
  - (c) punitive or exemplary damages of \$10,000,000;
  - (d) special damages to be proven at trial;
  - (e) fees and costs incurred by the Plaintiffs in investigating the individuals involved in the Conspiracy (as defined below), and removing the Unlawful Statements (as defined below), in amounts to be proven at trial;
  - (f) a mandatory order compelling the Defendants to remove the publications complained of in this action from all Internet websites, online message boards and social media platforms within their control;
  - (g) an interim, interlocutory and permanent injunction restraining the Defendants or anyone with notice of the order from republishing the

-2-

Unlawful Statements (as defined below), or publishing further unlawful and defamatory statements about Anson and its current and past personnel;

- (h) pre-judgment interest in accordance with section 128 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (i) post-judgment interest in accordance with section 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (j) the costs of this proceeding on the highest allowable basis, plus all applicable taxes; and
- (k) such further and other relief as to this Honourable Court may seem just.

2. Since at least the summer of 2019 and intensifying to the present, the Defendants Robert Lee Doxtator and Jacob Doxtator have engaged in a scheme with each other and other unknown individuals to damage the business and reputations of a successful securities business, Anson, and its founder, Moez Kassam. Specifically, the Defendants conspired to falsely and repeatedly claim that Kassam is a criminal and that he and his businesses are engaged in conduct that is illegal, unethical, and contrary to Canadian and United States securities regulations. They have, for example, published or encouraged the publication of the following false and defamatory statements:

- (a) "Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions";

-3-

- (b) "Anson Funds and Moez Kassam have been destroying companies through illegal means...";
- (c) Kassam is a "corrupted and criminal CIO [Chief Investment Officer] at Anson funds";
- (d) "If you r an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot information floating out there that paints a picture of scams to benefit none other then Moez Kassam";
- (e) "In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends";
- (f) Kassam pursued "questionable and illegal activities" in "an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way: even those who helped him and ended up being disposable";
- (g) "Moez Kassam & Sunny Puri of Anson . . . put out the report to manipulate the market so they could cover an already short position";
- (h) "... dirty moez [sic] hurt his business parnter [sic] and lied to the founders of \$apha [Aphria Inc.]"; and
- (i) Kassam and Anson "just use people and don't pay anyone but themselves".

-4-

3. Statements accusing the Plaintiffs of illegal and unethical conduct, including market manipulation, fraud, insider trading, breaches of applicable securities law and regulations, and cyber crimes, are false and defamatory. This lawsuit seeks to hold the Defendants, who are located in Canada and likely the United States, accountable for the economic, reputational, and emotional harm their lies have caused.

#### A. THE PLAINTIFFS

4. AAI is a corporation incorporated under the laws of Ontario. It is a private asset management firm that serves as the co-investment adviser, exempt market dealer and portfolio manager to several investment funds in which private investors may invest their capital (collectively, the “**Anson Funds**”). It is regulated by the United States Securities and Exchange Commission (“**SEC**”) and the Ontario Securities Commission (“**OSC**”), among other regulatory bodies.

5. AFM is a Texas limited partnership that serves as the investment fund manager for the Anson Funds. It is regulated by the SEC and the OSC.

6. AIMF is a Cayman Islands exempted limited partnership. It is Anson Funds’ flagship investment fund. The Anson investments that are the subject of the Unlawful Statements (as defined below) were undertaken by AIMF.

7. Anson uses multiple strategies to execute its investment program, including both long and short investment strategies and opportunistic investments. One subset of Anson’s short investment strategies includes short selling securities that have the indicia of fraudulent “pump and dump” schemes. In a pump and dump scheme, the perpetrators

-5-

attempt to inflate the value of a stock through false or misleading statements and then enrich themselves at the cost of other shareholders, including but not limited to by way of selling stock, paying inflated salaries, or paying related parties inflated amounts without proper disclosure.

8. Short selling is a legitimate investment strategy that involves borrowing shares from a dealer and selling them in anticipation that the share price will decline. The borrower must later repurchase the shares in order to return them to the lender. If the share price has fallen by the time the borrower repurchases the shares for return, the borrower will earn a profit. By contrast, if the shares increase in value while the borrower holds a short position, the borrower will be required to repurchase the shares at the increased price, causing a loss.

9. Short selling, as a trading activity, is subject to a well-developed regulatory regime in Canada.

10. Anson conducts and reviews research and due diligence on the market and relevant companies to inform its trades, all based on publicly available information. When Anson conducts short sales, its scrutiny may threaten the individuals who perpetrate pump-and-dump and other fraudulent securities schemes, or who otherwise benefit from inflated securities. Anson complies with all applicable investment rules and regulations in all trading transactions it undertakes.

-6-

11. A “naked” short sale occurs when an investor sells shares in anticipation that their price will decline without first having a reasonable belief that it can borrow the shares that it sold. Anson does not engage in naked short selling.

12. The capital markets rely on the free flow of public information about publicly traded companies. Further, publication of analyses of public companies is a routine feature of the capital markets, including where the entity publishing the analysis has made an investment (either short or long) in the securities of the company in question. In the ordinary course of its business, Anson from time to time discusses its research and investment analyses and theses with others in the industry. This is done to conduct research, stress test due diligence and investment theories, learn potentially variant points of view and solicit other independent analyses. To the extent analyses that are published by others align with Anson’s – or other investment funds’ – views, this is simply the result of the various individuals involved applying standard financial analysis to the same publicly available information.

13. Moez Kassam is a founder of Anson, and a director and the principal, Chief Executive Officer and Chief Investment Officer of AAI. Kassam is 40 years old. He founded Saunders Capital Master Fund LP, the predecessor to AIMF, in July 2007 at the age of 26, and has since built Anson into a billion-dollar investment firm. In 2018, Kassam was named to Canada’s Top 40 Under 40 for extraordinary achievement in business and philanthropy. He is an executive member of the Young Presidents Organization’s Maple Leaf Chapter, where he serves as Education Officer. He sits on the boards of directors of the Canadian Olympic Foundation, Toronto Public Library Foundation, Friends of Aseema

-7-

and Kids Cook to Care. He also serves as a line of credit guarantor for Windmill Microlending, which supports immigrants and refugees who come to Canada with education, skills and experience but struggle to resume their careers here.

14. Through the Moez & Marissa Kassam Foundation, Kassam has donated millions of dollars to Canadian charitable causes, including the Sunnybrook Foundation, the SickKids Foundation, Community Food Centres Canada, the Michael Garron Hospital Foundation, the Canadian Foundation for AIDS Research (CANFAR), Together We Stand Foundation, the Institute for Canadian Citizenship, the South Asian Legal Clinic of Ontario and many others. In fiscal year 2020 alone, the Moez & Marissa Kassam Foundation donated over half a million dollars to various Canadian charitable entities.

15. Kassam provides advice with respect to AIMF and all of Anson's other funds under management and is ultimately responsible for Anson's investment strategy, trading and overall investment performance. Kassam is the face of Anson and is well known in the industry as such.

## B. THE DEFENDANTS

16. The Defendant Robert Lee Doxtator (**“Robert”**) resides in Belleville, Ontario. He is a founder of Harvest Moon Cannabis Company (a company providing research and due diligence services) and is a business development consultant in the cannabis industry. In the past, Robert has shared due diligence with Anson. Robert operates a Twitter account under the username @BettingBruiser. It has over 14,000 followers. The “Betting Bruiser” Twitter profile states: “@HarvestMoon420 Founder -#Potstocks Legal & Business

-8-

Development Consultant Inquiries: HarvestMoonCannabisCo@gmail.com.” It is well known in the Canadian investment industry that “Betting Bruiser” is Robert.

17. Robert, as “Betting Bruiser”, is a prolific Twitter user and has repeatedly used his Twitter account to publish offensive content, including content disparaging of immigrants, women and members of the LGBT community.

18. While Robert holds himself out to be a lawyer, including in posts on the “Betting Bruiser” Twitter account, there is no record of his being admitted to practice law in any province or territory of Canada.

19. The Defendant Jacob Doxtator (“**Jacob**”) is the cousin of Robert. He also resides in Belleville, Ontario. He operates a Twitter account through an alter-ego named “John Murphy” under the username @JohnMur67039142. Unlike with “Betting Bruiser”, it is not commonly known that Jacob operates the “John Murphy” Twitter account. The Defendants went out of their way to use this account to conceal their identities as part of their scheme against Anson. Although Jacob lives in Belleville, the Twitter account states that “John Murphy” lives in the state of Georgia in the United States.

20. The Defendants John Doe 1, John Doe 2, John Doe 3, John Doe 4 and other persons unknown (the “**Unknown Defendants**”) are individuals whose identities are presently unknown, but who are believed to have the means and business motivation to seek to harm the Plaintiffs. The Unknown Defendants may reside in the United States or elsewhere outside of Canada. The Plaintiffs will substitute the actual names of these Defendants after they have been discovered.

-9-

21. More generally, the Plaintiffs reserve their right to make, or seek to make, amendments to this pleading to incorporate additional material facts and information that they discover.

### C. OVERVIEW OF CLAIM

22. Robert, Jacob (together, the “**Doxtators**”) and the Unknown Defendants are parties to a sophisticated, coordinated scheme to damage the Plaintiffs’ business and reputations (the “**Conspiracy**”).

23. In particular, and as described further below, in furtherance of this Conspiracy, the Defendants maliciously and intentionally entered into an agreement to conspire with one another and committed acts with the predominant purpose of injuring the Plaintiffs by damaging their business and reputations. In addition, or in the alternative, in furtherance of this Conspiracy, the Defendants have acted in a concerted and coordinated effort while using unlawful means aimed at the Plaintiffs, including but not limited to acts that amount to defamation at law, when they knew, or ought to have known, that significant harm to the Plaintiffs would result. In fact, the Defendants have caused significant damage to the Plaintiffs’ business and reputations through their unlawful, improper conduct. Furthermore, the Defendants took sophisticated steps to conceal their identities and advance the Conspiracy anonymously because they knew they were engaged in unlawful conduct. The Defendants are savvy about capital markets and deliberately fabricated allegations about the Plaintiffs – or at best were reckless as to whether the allegations were false – in order to sabotage their business.

-10-

24. In the Conspiracy, the Doxtators coordinated and agreed with one another and with the Unknown Defendants to harm the Plaintiffs through a carefully planned and executed plot. This plot has included fabricating, spreading and publicizing a series of unlawful, abusive, false, malicious, harassing and defamatory statements about Anson, Kassam and other individuals connected with Anson (the “**Unlawful Statements**”); hiring freelance web developers based in Bosnia and Herzegovina to register the websites on which Unlawful Statements were posted, for the purpose of concealing the Defendants’ identities; sending targeted communications containing the Unlawful Statements via email; and attempting to improperly attract regulatory and media attention to the Unlawful Statements. Moreover, the Defendants have sought to disseminate the Unlawful Statements internationally to individuals in (at least) the United States (where the Plaintiffs do business) as well as in Canada, with the intention of causing maximum, widespread harm to the Plaintiffs.

25. Steps taken by the Defendants pursuant to the Conspiracy include the following:

- (a) in summer 2019, some or all of the Defendants, and in particular Robert, began a campaign to spread Unlawful Statements about the Plaintiffs on Twitter through Robert’s “Betting Bruiser” Twitter account;
- (b) in July and August 2020, in a further concerted and coordinated effort, the Defendants increased their efforts and conspired to post Unlawful Statements on message boards on the website Stockhouse (which provides market news and analysis regarding companies with small market

-11-

capitalizations, as well as message boards for users to discuss securities issuers). These Unlawful Statements were viewed by many thousands;

- (c) beginning on or around September 27, 2020, after the Plaintiffs took steps to have the Unlawful Statements on Stockhouse removed, the Defendants anonymously wrote, published and disseminated a lengthy Internet post containing Unlawful Statements about the Plaintiffs (the "**Defamatory Manifesto**") on a series of websites. The Defendants knew that the allegations in the Defamatory Manifesto were false and defamatory, and intended to make and widely distribute these false, defamatory and misleading allegations. They sought to imbue the Defamatory Manifesto with credibility by falsely calling it an "investigation". It was viewed by tens of thousands;
- (d) the Defendants hired freelance web developers based in Bosnia and Herzegovina to register the websites on which they published the Defamatory Manifesto, to obscure the websites' origins and conceal the Defendants' involvement in the publication, something that would only be part of a sophisticated plot;
- (e) after the Plaintiffs were forced to take steps to have websites publishing the Defamatory Manifesto taken down, the Defendants again re-published it on new websites, which were once again created in a manner to conceal their involvement. A version of the Defamatory Manifesto remains available on the Internet;

-12-

- (f) the Defendants used alter-ego Twitter accounts, and/or hired or otherwise procured or involved additional conspirators, to further disseminate and publish links to the Defamatory Manifesto;
- (g) the Defendants, similarly concealing their identities through alter-egos and/or by hiring or otherwise procuring or involving additional conspirators for this purpose, publicized and provided links to the Defamatory Manifesto on various Internet message boards and chat rooms. These message boards and chat rooms related to the Canadian and U.S. securities markets and are frequented by investors;
- (h) the Defendants also used alter-ego Twitter accounts to publish further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs, including wishing harm to come to Kassam, and inciting or encouraging others to harm him;
- (i) the Defendants published further false, defamatory, harassing, and malicious Unlawful Statements against the Plaintiffs through targeted emails sent from an anonymized email address;
- (j) the Defendants sent the Defamatory Manifesto to the media in a concerted but unsuccessful attempt to use the media to further publicize the Unlawful Statements and lend them a false and unwarranted air of credibility; and
- (k) the Defendants attempted to draw the Defamatory Manifesto to the attention of regulators and, based on the Unlawful Statements, encouraged

-13-

unwarranted regulatory scrutiny and investigation of the Plaintiffs, with the aim of disrupting and damaging the Plaintiffs' business and further harming their reputations.

26. As a result of the Defendants' conduct, the Unlawful Statements have been publicized broadly on the Internet, on various websites and online message boards and on Twitter. They have been disseminated widely, causing unwarranted adverse publicity for Anson that has significantly disrupted and damaged its business.

27. The Defendants have the means to attack Anson through the Conspiracy and may be motivated by an animus against Anson because of its scrutiny of overvalued stocks and pump-and-dump schemes, some of which the Defendants may have stood to benefit from. In particular, the Plaintiffs believe that the Defendants have targeted them in their malicious and illicit Conspiracy because part of Anson's investment strategy involves scrutinizing overvalued companies, including, in the past, those in the cannabis industry.

28. As was the case with other investment firms in 2018, one of Anson's investment strategies involved short-selling securities of several Canadian-operated publicly listed cannabis companies that it believed to be overvalued. Many investment firms, in the ordinary course of business, established short positions against Canadian cannabis companies whose stock prices they believed to be extended beyond the company's fundamental value. Some of these cannabis companies were referred to in the Unlawful Statements.

-14-

29. The Unlawful Statements falsely attribute to the Plaintiffs an almost preternatural power to choose securities where they can cause the share price of a company to decline. The Plaintiffs did not cause the share prices of the companies mentioned in the Unlawful Statements to decline. Market fundamentals – alongside overall waning investor sentiment and the actual performance of these companies, among other factors – did. In most cases, the valuations of such companies are down 70% or more since their peak.

30. Moreover, the Defendant Robert has an animus against Anson and Kassam, which is in part based on his claims that he has not been paid for due diligence that he shared with Anson. In October 2020, he aggressively attempted to obtain a significant and unwarranted amount of money from Anson, plus an indemnity and immunity, in exchange for certain due diligence he shared with Anson, and for information on the identity of the Unknown Defendants, which he confirmed he knew. Robert utilized the circumstances – the publication of the Defamatory Manifesto and other Unlawful Statements – to attempt to pressure Kassam and Anson to pay him significant amounts, giving his demands the air of extortion. While not all aspects of Robert's animus against Anson and Kassam are known to the Plaintiffs, the animus is consistent with past racist tweets by Doxtator, and in light of the fact that Kassam, other senior employees at Anson, and their spouses are not Caucasian.

31. Though all of the parties behind the Conspiracy to damage the Plaintiffs' business and reputation are not known at this time, the damage wrought from their illegal conduct is clear.

-15-

#### D. THE DEFENDANTS' CONSPIRACY AGAINST THE PLAINTIFFS

##### (i) *Beginning in late 2018, Robert develops animus towards Plaintiffs*

32. Anson and Kassam first met Robert in late August 2018, where they discussed the prospect of him providing consulting services to Anson via the company founded, Harvest Moon Cannabis Company. In the following months, Robert shared limited due diligence with Anson, but Anson ultimately decided not to engage him further.

33. Sunny Puri ("Puri") is a Principal and Portfolio manager at Anson, where he has worked since 2013. Robert has a particular longstanding malevolent animus towards Puri, which includes threatening violence.

34. In the months after August 2018, Robert became irrationally angry with Anson, and Puri in particular, because Robert thought – incorrectly – that Anson had traded profitably on the limited due diligence he provided and shared the information with others. In November 2018, Robert told Allen Spektor (the person who introduced Robert to Anson) that he wanted Puri fired. On November 8, 2018, Robert wrote to Spektor via a messaging app that "I'm never moving on...And if I see sunny [sic] I might kick him in the teeth[.] Straight up[.] Your friend is a SHYSTER".

35. In or around August 2019, Anson offered to pay a sum commensurate with other limited due diligence Robert provided. Robert took issue with the amount Anson had offered to pay him and began to threaten legal action, as well as physical violence and other retribution.

-16-

36. On August 21 and 22, 2019, Robert sent Kassam the following messages (emphasis added):

***I'm working on a report***

***It's called the biggest predatory fund in Potstocks...***

I'm going to talk to my lawyer also cause I'm sick [of] people like trying [to] fuck me over...

I'm going to talk to my lawyer sorry Moez sick of this...

***So tomorrow I reveal your friendly bear***

Just getting started

Reports ready to go...

***You fucked over wrong person for last time Moez***

Tweets pretty popular

Media already texting me for the story

37. In September 2019, while Puri was in a meeting at a professional conference at the Shangri-La Hotel in Toronto, Robert threatened to physically assault him in front of other conference attendees.

***(ii) In Summer 2019, Robert launches a Campaign to spread Unlawful Statements about the Plaintiffs***

38. In late August 2019 – a few days after threatening to begin to publicly “reveal” purported content about Anson – “Betting Bruiser” unleashed a series of tweets making false and defamatory Unlawful Statements about the Plaintiffs. Just as Robert had threatened Kassam, “Betting Bruiser” tweeted false allegations that Anson and Kassam

-17-

had commissioned a report that the Friendly Bear, an independent research outfit, had published regarding Hexo Corp., a cannabis company. In particular:

(a) on August 25, 2019, “Betting Bruiser” tweeted false allegations about Anson’s purported involvement in the Friendly Bear report. He falsely alleged that Anson “controls” the Friendly Bear – which allegations also appeared in the Defamatory Manifesto over a year later. He included in the tweet a screen shot of text messages from Kassam, which he presented out of context and in a misleading manner (emphasis added below):

Betting Bruiser  
@BettingBruiser

Month ago the market listened to the 'Friendly Bear'  
put out a bullshit short report on [\\$HEXO](#).

The Bear is controlled and ran by Moez Kassam &  
Sunny Puri of Anson.

They put out the report to manipulate the market so  
they could cover an already short position. #Potstocks

**Moez**

It's not a fund 11:05 AM

It's me 11:05 AM

Just the guy we use to write 11:05 AM

If the bar is high enough 11:05 AM

He doesn't want to get sued 11:06 AM

Is Hexo The Next CannTrust?  
Snapchat Advertising May Run Afoul of Health Canada  
**Hexo, pot investors shrug off Friendly Bear short-seller report**

Kristine Owram, Bloomberg News

10:54 AM · Aug 25, 2019 · Twitter for iPhone

9 Retweets 2 Quote Tweets 49 Likes

As described above, publication of public company analysis is a routine feature of the capital markets. Anson and other market participants

-18-

routinely share investment theses (based on publicly available information) with others in the industry for the purpose of stress testing such theses. To the extent individuals publish reports on public companies, these may or may not accord with the views of Anson and other investment firms. Anson does not “control” such analysts, who independently form their own views regarding companies and independently choose if and when to publish reports;

- (b) later the same day, he tweeted about his plan to “expose” Anson:



Betting Bruiser @BettingBruiser · Aug 25, 2019

Replying to @BettingBruiser

I'm going spend the next week exposing the Anson fund connections to other short sellers and market manipulators. Which #Potstocks has the fund has historically invested and the death spiral the fund created to cash out their short positions.

- (c) on August 26, 2019, “Betting Bruiser” published several tweets falsely alleging that Anson used a representative, Adam Spears, on the Board of Directors of a cannabis company named Zenabis Inc. (“**Zenabis**” or “**\$ZENA**”) to negatively influence the company’s business decisions and reduce its share price:

-19-



\*\*\*

A lot DM's about [\\$ZENA](#) & Anson Funds.

Anson Funds holds a boatload of converts in [\\$ZENA](#) that they are using to cover their short position.

They've had a direct hand creating chaos within management decisions. Including the listing price. How so? Anson representative! [#Potstocks](#)



**Adam Spears  
Independent Director**

- (d) later that same day, he tweeted false allegations that Spears was recording conversations among Zenabis management so that Anson could blackmail the company or use the information to its detriment (emphasis added below):



**Betting Bruiser @BettingBruiser - Aug 26, 2019**

As in the case with [\\$HEXO](#) ... I wouldn't doubt that Adam is recording conversations of [\\$ZENA](#) management and executives in hopes of Anson blackmailing or using the info for the detriment of the company. Adam needs to be removed. [#Potstocks](#)

-20-

39. On March 11, 2020, “Betting Bruiser” tweeted a photo of Puri, commenting: “The biggest chicken hawk that I’ve ever met in my life. Every time I see him we have words. Sunny Puri from Anson Funds. If you’ve ever crossed paths with him then your stock is likely -95% from its high and he holds your [fate] in his hands via convertible debt. #PotStocks”.

***(iii) In Summer 2020, the Conspiracy spreading Unlawful Statements about the Plaintiffs expands***

40. In July and August 2020, the Defendants conspired to spread the publication of the Unlawful Statements on the Internet, including via posts published on the website Stockhouse and dated July 23, August 14, August 17, and August 28, 2020 (collectively, the “**Unlawful Stockhouse Statements**”).

**The July 23, 2020 Stockhouse Post**

41. The Defendants conspired to anonymously publish a post titled “The Real Story on Moez Kassam and Anson Funds – Part 1” on Stockhouse on July 23, 2020, under the pseudonym “JusinTime” (the “**July 23 Stockhouse Post**”):



**[The Real Story on Moez Kassam and Anson Funds – Part 1](#)**

42. The July 23 Stockhouse Post called Kassam a “criminal” and included statements accusing him of engaging in illegal, unethical, and “corrupt” business practices as well as egregious personal attacks, which were intended to damage his reputation and turn investors away from him. The accusations are false and defamatory.

-21-

43. The July 23 Stockhouse Post accused Kassam of being “corrupt and criminal” and asserted that his practices included “treading on people, lying and using every trick in the book to bring companies down that he bet against” (emphasis added below):

So here is the beginning part of the tale about the corrupt and criminal CIO at Anson funds?  
A few short years ago Moez Kassam was a high flying star in the hedge fund space. He had \$1 billion under management (now down to \$250 million and falling) and was the praise of the financial community. But what people don't know is that his media praise was paid for (like when Toronto Life covered his wedding – paid for and made to look like an editorial - shame). But even worse he made his money the dirty way, treading on people, lying and using every trick in the book to bring companies down that he bet against. Whatever it took, whoever he ruined financially or reputation wise he would do it to turn a profit.

44. In particular, the July 23 Stockhouse Post discussed Anson’s investment in the cannabis company Tilray Inc. (“**Tilray**”). The post falsely asserted that, during this period, Anson had “a large naked short position” which posed a “significant credit risk” to its creditors, and that Anson committed “numerous securit[ies] violations [in] ever f[l]avour imaginable” in order to protect its solvency.

45. The July 23 Stockhouse Post also falsely stated that Anson was “again caught naked” in relation to another company, Facedrive Inc. (“**Facedrive**”), falsely implying that Anson’s conduct was abusive or illegal and asking the Investment Industry Regulatory Organization of Canada (“**IIROC**”) if it would be investigating “how Moez creates paper”. Anson does not engage in naked short selling.

46. The July 23 Stockhouse Post stated that the Plaintiffs were “bad actors” who are “getting away with” “huge regulatory infringements”, and that there were “zero repercussions for their illegal behaviour.”

-22-

47. The July 23 Stockhouse Post claimed that further allegations of “corruption, lies and foul play” against the Plaintiffs were forthcoming, and concluded with, “Stay tuned especially IIROC, juicy bits coming for you folks.”

48. Jacob, who maintains a Twitter account through an alter-ego named “John Murphy” with the username @JohnMur67039142, tweeted a link to the Stockhouse July Post ***on the day it was published:***

John Murphy @JohnMur67039142 · Jul 23  
Facedrive | V.FD Stock Message Board & Forum | Stockhouse [@business](#)  
[@davidmilstead](#) [@MunchingMoez](#) [@GlobeSmallBiz](#)

 The Real Story on Moez Kassam and Anson Funds – ...  
The Real Story on Moez Kassam and Anson Funds – Part 1  
[🔗 stockhouse.com](#)

The timing demonstrates insider knowledge that the July 23 Stockhouse Post was being published.

49. Shortly after the publication of the July 23 Stockhouse Post, “John Murphy” issued tweets predicting more publications about Plaintiffs would soon “come out.” For example:

-23-



John Murphy  
@JohnMur67039142

...

it seems moez and sunny from @AnsonGroupFunds  
@MunchingMoez @HindenburgRes @globeandmail  
@davidmilstead quickly blocked me by suggesting they  
were short 1mm \$FD. i think much more will come out  
on this trade. @business @BNNBloomberg



John Murphy @JohnMur67039142 - Jul 28

Looks like @facedrivecanada \$FD is going higher @HindenburgRes  
@AnsonGroupFunds finance.yahoo.com/news/400-tesla...

7:41 PM - Jul 30, 2020 - Twitter for iPhone

50. "John Murphy" included the Twitter accounts of The Globe and Mail and its reporter David Milstead, as well as BNN Bloomberg, in this tweet in order to draw these allegations to the media's attention.

### The August 14, 2020 Stockhouse Post

51. The Defendants conspired to publish a further defamatory and anonymous post on Stockhouse on August 14, 2020 titled "Moez Kassam and Anson Funds – Short \$500 M and Lose It All" under the pseudonym "evtrader" (the "**August 14 Stockhouse Post**"):



evtrader (/members/evtrader) (2)

User Actions

August 14, 2020 - 01:55 PM

201 Reads

Post# 31409659

### Moez Kassam and Anson Funds - Short \$500 M And Lose It All

52. This post made similar allegations to the July 23 Stockhouse Post.

-24-

53. The August 14 Stockhouse Post continued the egregious and baseless personal attacks against Kassam, referring to him disparagingly as an “awful little grot” and falsely stating that the Plaintiffs “lost \$500 million on a Tilray short”.

54. The August 14 Stockhouse Post also stated that “regulatory fire...will be coming [Kassam’s] way soon.” This was one of several attempts to draw regulatory attention to Anson, and falsely imply that the Plaintiffs were engaged in behavior that violated securities regulations.

55. Also on August 14, 2020, “John Murphy” retweeted the false claim that Anson was behind the report produced by Hindenburg Research (“**Hindenburg Report**”) regarding Aphria Inc. (“**Aphria**”), a cannabis company, and predicted that the “story will be all over the streets within months”. This tweet included a photo of Kassam that later appeared in the Defamatory Manifesto, and also included the Twitter account of BNN Bloomberg to draw the allegations to its attention. The tweet read as follows:

-25-

 **John Murphy** @JohnMur67039142 · Aug 14  
@HindenburgRes @BNNBloomberg @AnsonGroupFunds this story will be all over the street within months. how dirty **moez** hurt his business parnter and lied to the founders of **Sapha**. @LamboJohnny @BettingBruiser

 **MDeCicco** @MDeCicco\_ · Aug 14  
Hey @MunchingMoez. Can you confirm/deny? The word around is that you were the source of the @HindenburgRes Short Attack on @aphriainc, to cover HUGE losses on \$TLRY  
[Show this thread](#)



5 5

56. The same day, “John Murphy” tweeted additional allegations:

\$FD #moezkassam paid for negative promotions on \$FD [Facedrive Inc.] \$apha [Aphria] \$tlry [Tilray] and many more. Was this disclosed by publisher? @AnsonGroupFunds @HindenburgRes @BNN Bloomberg @BettingBruiser \$tlry \$apha \$shortsellers @IIROCinfo

#### **The August 17, 2020 Stockhouse Post**

57. The Defendants conspired to continue their scheme to harm the Plaintiffs by anonymously publishing a post on Stockhouse on August 17, 2020 titled “The Real Story on what happened with Moez Kassam and Aphria”, under the pseudonym “Bundyj” (the “August 17 Stockhouse Post”):

-26-



[The Real story on what happened with Moez Kassam and Aphria](#)

58. The August 17 Stockhouse Post alleged that Kassam is “a **corporate sociopath** of the worst kind...He talks the talk and **worms his way into friendships that he fully plans to betray** for a dollar at the first opportunity.”

59. The August 17 Stockhouse Post alleged that Anson had invested in Aphria, but that following Anson’s “failed short campaign against Tilray”, the Plaintiffs “became desperate” and “**decided to betray [Kassam’s] friends and colleagues at Aphria.**”

60. The August 17 Stockhouse Post falsely stated that the Plaintiffs commissioned the Hindenburg Report to publish negative material regarding Aphria, and that the Plaintiffs provided Anderson with “sensitive, insider information that [Kassam] obtained from his friendships with Aphria management and founders”.

61. The August 17 Stockhouse Post also falsely claimed that, shortly before the Hindenburg Report was released, the Plaintiffs took a short position in Aphria so that they could profit from the diminution of its stock price. Aphria’s stock fell following the release of the report, and the post claimed that, “to the outside world Kassam feigned shock...to avoid suspicion even though he had orchestrated the entire scheme and illegally fed Nate insider information.”

62. The August 17 Stockhouse Post implied Anson’s conduct violated securities regulations by encouraging regulators to investigate the allegations it contained. It

-27-

concluded by encouraging readers to “[c]opy and share as I’m sure Moez will try to have this post removed.”

63. Shortly after the August 17 Stockhouse Post was published, Anson received an anonymous telephone call at its offices threatening harm to Anson and Kassam.

64. On August 21, 2020, Robert texted Spektor about Puri, commenting: “When I see Sunny...I’m punching his ticket...I’ve chased sunny now twice now...Ran like a bitch”. In the same conversation, he implied that he could have physical harm done to Kassam: “I’m well connected also ... ***if I wanted someone to visit Moez I could [have] had it done already*** but just moved past it and it’s his loss now”.

### The August 28, 2020 Stockhouse Post

65. The Defendants conspired to anonymously publish a post on Stockhouse on August 28, 2020 titled “Moez Kassam and Anson at it again – you guys got off lightly”, under the pseudonym “stocknsyrup” (the “**August 28 Stockhouse Post**”):

**Moez Kassam and Anson at it again – you guys got off lightly**  
(/companies/bullboard/v.fd/facedrive-inc?postid=31470222)



stocknsyrup (/members/stocknsyrup) (1) | August 28, 2020 12:43 pm

66. The August 28 Stockhouse Post alleged that Anson invested in Zenabis and appointed a “**stooge**”, Adam Spears, to Zenabis’ board. Among other things, it falsely and maliciously asserted that Anson used Spears to “convince...Zenabis to do all sorts

-28-

of things that were hugely detrimental to the company and geared towards its destruction".

67. The August 28 Stockhouse Post falsely stated that Spears was "feeding Kassam insider information so Kassam could better time the short sells and make even more money. YES, THIS IS ILLEGAL!".

68. The August 28 Stockhouse Post asserted that the "coup de grace" for Zenabis was Kassam and Spears convincing it to pursue an initial public offering at an overvalued valuation so that, due to Anson's short position, Kassam would have "a massive win" when Zenabis' share price fell. It claimed that the Plaintiffs "made a fortune on this" scheme. The post falsely asserted that the Plaintiffs' conduct "***completely destroyed Zenabis and its shareholders, and it was illegal every step of the way***", and encouraged regulators to investigate.

***(iv) After the Plaintiffs expend resources to remove the Unlawful Stockhouse Statements, the Defendants conspire to expand the Conspiracy's online attack***

69. Following communications with Stockhouse and in light of its website terms and conditions of use, which prohibit unlawful or defamatory content, the Plaintiffs were able to have the Unlawful Stockhouse Statements removed from the Stockhouse website.

70. Almost immediately after the removal of the Unlawful Stockhouse Statements, the Defendants conspired to curate a lengthier publication adding to the false and defamatory statements they previously published. Then they took to other means to broadly

-29-

disseminate the Unlawful Statements as part of their concerted and coordinated effort to defame the Plaintiffs.

71. On September 10, 2020, “John Murphy” tweeted that regulators should scrutinize Anson and Kassam, tagging the Twitter accounts of Robert (“Betting Bruiser”); Jeff Kehoe, head of enforcement of the OSC; and Daniel Dale, a reporter with CNN who formerly reported for The Toronto Star:

these reverse pump and dumps must be watched more closely by the regulators. moez and his band fund these trades every week @ClarityToast finds the next fraud that he is paid to profile. @BettingBruiser @ddale8 @JeffKehoeOSC \$apha \$fd \$gfl \$nkla

72. A few days later, on September 12, 2020, “John Murphy” tweeted (emphasis added):

***anson is a very corrupt*** cad fund nake [sic] shorting many small cap co's and when they get in trouble / want to cover ***they pay groups like @HindenburgRes to say the co is a fraud and going to zero***. how many zeros have they called, the bottom is normally around when the piece comes out

73. On or around September 27, 2020, the Defamatory Manifesto – a 20-page rant titled “Moez Kassam and Anson Funds: A Tale of Corruption, Greed and Failure” – appeared on the website [www.MoezKassam.com](http://www.MoezKassam.com). It was published anonymously under the pseudonym “The Match Man”. Robert, Jacob and the Unknown Defendants wrote, contributed to, provided material for, and/or publicized and disseminated the Defamatory Manifesto, as set out below.

-30-

74. In the weeks after the Defamatory Manifesto was published, Anson received two anonymous telephone calls at its offices threatening harm to Anson and physical harm to Kassam personally.

**(v) *The Defamatory Manifesto expands on previously published false statements and falsely states and implies that the Plaintiffs' behavior was illegal, unethical, and/or in violation of securities laws***

75. The Defamatory Manifesto contains many serious and inflammatory allegations regarding the Plaintiffs that are entirely false and that the Defendants knew or ought to have known were false. It repeats and expands on the baseless claims made in Robert's August 2019 tweets and the Unlawful Stockhouse Statements. It falsely and maliciously accuses Anson, Kassam, and other Anson personnel, including Puri, of dishonest and illegal activities that included the following: short-selling schemes, which the Defamatory Manifesto alleges were illegal, even though short selling is a legal trading strategy; insider trading; fraud; and other breaches of securities laws and regulatory rules and policies, among other things.

76. Although the Defamatory Manifesto was published anonymously, it references many precise topics that the Doxtators had previously tweeted false claims about.

77. From its first paragraph, the Defamatory Manifesto accuses the Plaintiffs of engaging in criminal and unethical conduct (emphasis added):

***Never has there been a bigger scourge of the Canadian capital markets. Moez Kassam and his Anson Funds have systematically engaged in capital market crimes, including insider trading and fraud, to rob North American shareholders of countless millions. In his attempt to destroy small-cap Canadian companies through nefarious means, a string of feeder funds and***

-31-

***untraceable payments to elude regulators, Moez Kassam has betrayed even his closest friends. Now, the other shoe is about to drop as Kassam's funds run out and a string of failed attempts at illegal destruction leave this naked short seller truly naked.***

78. The Defamatory Manifesto labels Kassam the “Toad of Bay Street”, with a large photograph of a toad, and advises readers to “steer clear” from Kassam’s “***illegal activities.***”

79. The Defamatory Manifesto makes clear that its purpose is to paint Kassam as “the symbol of everything that is wrong with capital markets” and that with the “help” of “Kassam’s acquaintances [who] have flipped amid all the betrayal,” a “team of investigators is following all the threads of the ***questionable and illegal activities Kassam has pursued in an attempt to make money by destroying small companies and the lives of anyone who happened to get in his way:*** even those who helped him and ended up being disposable.”

80. The Defamatory Manifesto falsely implies that the Plaintiffs have violated securities regulations. It improperly and maliciously encourages regulators, such as the OSC, SEC and IIROC, to investigate the Plaintiffs and implores them to “Pay Close Attention” to “***high-functioning sociopath***” Kassam. It claims that Kassam is “pinging [the] regulatory radar quite loudly” and that, in addition to Canadian regulatory scrutiny, the Plaintiffs’ “[d]irty deals in the U.S. are going to haunt [Kassam] as well—and the SEC has razor-sharp teeth.”

81. The Defamatory Manifesto gives the false impression that the Plaintiffs were already under regulatory investigation. Later modified versions of the Defamatory

-32-

Manifesto state at the outset: “IMPORTANT UPDATE: **OSC and IIROC are now aware of Anson’s illegal market activities** and are asking the public for information. The regulators need your help. If you have information for them or have been hurt because of their actions please get in touch... Do not be silent – help them clean up the capital markets”. This part of the Defamatory Manifesto includes a link to an OSC media release that has no known connection to Anson, in an attempt to lend further credibility to the false notion that the Plaintiffs are under investigation.

82. The Defamatory Manifesto implies falsely that the Plaintiffs engaged in “naked short selling” by stating that they were the “primary inspiration” of a forthcoming bill to prohibit “naked short selling in Canada.”

83. The Defamatory Manifesto calls the Plaintiffs’ fully legal short-selling strategy “**illegal**” and claims that Kassam has “**lost friends...almost all of whom he betrayed in underhanded and illegal short-selling schemes**”, including the best man at his wedding whom he threw under a speeding short-selling bus”.

84. While this allegation is false, Robert is one of the few individuals who has information about the relationship between Kassam and his best man.

85. The Defamatory Manifesto claims that “Moez Kassam’s MO” and the Plaintiffs’ general investment strategy is to invest in small companies in need of cash to “buy influence”; purposefully place the company “into a vulnerable position” in order to drive down its share price; and then short-sell the company’s shares “by a far greater amount”

-33-

than their initial investment. It falsely asserts that “[p]rivate placement money coming from Moez Kassam is toxic money that comes with self-destructing strings attached.”

86. Under the heading “**How Moez Kassam Cheated Zenabis**”, the Defamatory Manifesto falsely accuses Kassam of engaging in a “game” in which he took a “visible long position” in Zenabis and a “much larger (10x) secret short position” to cause Zenabis’ share price to go down. It falsely states that Kassam effectuated his scheme by placing “a figurehead as the director of [the] company” – Adam Spears – and convincing him to go public at “the highest possible valuation” to “set up a massive downside potential for Kassam to make a killing shorting” its shares. The Defamatory Manifesto also alleges falsely that Spears “fed” Kassam material non-public information that the Plaintiffs then leaked to the public, and which the Plaintiffs also used to time short sales advantageously. The Defamatory Manifesto claims that the Plaintiffs replaced Zenabis’ CEO after he discovered the “scheme”, and installed a new CEO whom they convinced “to dig his own grave” because they “were in control” of Zenabis “through their **stooge, Adam Spears**”. The Defamatory Manifesto asserts that the Plaintiffs’ “dirty short selling strategies” had “completely destroyed Zenabis, taking it from a \$950-million market cap company all the way down to around \$50 million over dinner and drinks.”

87. These are false allegations that Robert had previously made using the “Betting Bruiser” Twitter account, prior to the Defamatory Manifesto being published. These allegations were also included in the Unlawful Stockhouse Statements.

88. The Defamatory Manifesto continues with respect to Aphria. It falsely accuses Kassam of being “the mastermind” behind the Hindenberg Report by using Puri – who it

-34-

says “makes bottom feeders look appealing” and did all the “dirty legwork”— to “illegally feed” its author Nate Anderson “sensitive, insider information that he obtained from his friendships with Aphria management and founders – sprinkled with exaggerated lies”. The Defamatory Manifesto asserts that the Plaintiffs were “a large holder of Aphria stock” and short sold shares immediately before release of the Hindenburg Report, which “irreparably damaged” and “crashed Aphria stock”. The Defamatory Manifesto claims that Kassam “**betrayed**” his “friends” and then “feigned shock...to avoid suspicion even though he had **orchestrated the entire scheme and illegally fed Nate [Anderson of Hindenburg Research] insider information.**”

89. The Unlawful Stockhouse Statements contained the same allegations regarding the Plaintiffs and Aphria, as did the “John Murphy” tweets from before the Defamatory Manifesto was published.

90. The Defamatory Manifesto falsely alleges that the Plaintiffs engaged in a similar scheme with Genius Brands International, Inc. (“**Genius**”), a children’s entertainment company. It falsely states that Plaintiffs engineered a “pump and dump” scheme whereby they raised Genius’ share price by commissioning favourable reports from “pumpers” on social media, and then took “significant short positions” immediately prior to the release of a negative report that they commissioned Nate Anderson of Hindenburg Research to write. The Defamatory Manifesto also falsely claims that Kassam had provided vetted “insider” information to Anderson to assist with writing that report. The Defamatory Manifesto’s allegations regarding Genius maliciously conclude by implying the Plaintiffs violated securities regulations: “The Toad of Bay Street—dipping his webbed feet

-35-

precariously into SEC waters—rode [Genius] all the way up and then shorted it all the way down—disgusting.”

91. The Defamatory Manifesto falsely accuses the Plaintiffs of engaging in a similar illegal scheme with Facedrive. It falsely states that Plaintiffs took “a huge naked short” position in Facedrive, “panicked,” and in order to drive down its share price, commissioned Anderson of Hindenburg Research to publish a negative report regarding Facedrive. The Defamatory Manifesto claims, falsely, that Kassam told others about the report “days before it went out”, which it characterized as “insider trading”. The Defamatory Manifesto claims that the report “failed to generate the negative action [Kassam] needed to avoid losing what remains of his fund” and that he “lied to the banks” regarding his Facedrive investment. It warns that Facedrive should “be prepared for another assault out of desperation” because the Plaintiffs are “desperately trying to drive this stock lower”. It states that Plaintiffs would publish a further negative report from researcher “The Friendly Bear”, which the Defamatory Manifesto falsely states was a pseudonym for Kassam and Puri. It also alleges that the Plaintiffs’ banks were helping them with this “illegal” scheme. The Defamatory Manifesto alleges that Anson and Kassam were behind “The Friendly Bear” research report regarding Facedrive – an allegation that is clearly false since no such report exists.

92. As referenced above, “John Murphy” had previously made similar false assertions about the Plaintiffs and Facedrive. “Betting Bruiser” had also previously tweeted the allegation that the Plaintiffs controlled the Friendly Bear, before the Defamatory Manifesto was published.

-36-

93. The Defamatory Manifesto falsely alleges that Tilray had “been the victim of an Anson Funds scheme (which failed)”, and that Anson’s “disastrous attempt to short much larger Tilray” caused “a liquidity crisis” for Anson, which lost hundreds of millions of dollars “in the scheme”. The Defamatory Manifesto further alleges that, having “lost around \$80 million on this dodgy short strategy”, Kassam “nearly lost everything” and had to “grovel” to raise capital for Anson.

94. The Defamatory Manifesto falsely alleges that Anson underpays or “stiffs” people. Robert has made similar allegations that he was not compensated for past due diligence he shared with Anson using the “Betting Bruiser” Twitter account.

95. The Defamatory Manifesto encourages readers to share and re-publish it. It also solicits readers to provide additional material regarding Anson and Kassam for future posts. The Defendants created and provided email addresses, such as info@moezkassam.com, to which readers could confidentially send information and are threatening to take this information to regulators. Some correspondence with this email “tipline” was signed by “Robert”.

96. The earliest published version of the Defamatory Manifesto purported to be a standalone document. The Defamatory Manifesto was later amended to allege that it was the first of a three-part series (similar to the “Part 1” concept used in the title of the July 23 Stockhouse Post). To Anson’s knowledge, the other two parts have not yet been published. If they are, and they contain false, malicious and defamatory content similar to the Unlawful Statements already contained in the Defamatory Manifesto, they will cause further, irreparable damage to the Plaintiffs’ business and reputations.

-37-

**(vi) *The Defendants procured at least eight internet domains to facilitate widespread publication of their Defamatory Manifesto***

97. Following communications with the host of the www.MoezKassam.com domain, the Plaintiffs were able to have Defamatory Manifesto removed from that website.

98. Since that time, the Defendants acquired multiple Internet domain names to republish the Defamatory Manifesto online. To date, the websites acquired and used by the Defendants to publish the Defamatory Manifesto include the following:

- (a) www.MoezKassam.com;
- (b) www.StockManipulators.com;
- (c) www.CapitalMarketCrimes.com;
- (d) www.StockManipulators.org;
- (e) www.CapitalMarketCrimes.org;
- (f) www.MarketCrimes.ws;
- (g) www.MarketCrimes.to; and
- (h) www.CapitalMarketCrimes.to.

99. When the Plaintiffs have taken steps to have a website containing the Defamatory Manifesto taken down, the Defendants have republished the Defamatory Manifesto on a new website, forcing the Plaintiffs to seek to have that new post of the Defamatory Manifesto taken down. Each time the Defamatory Manifesto is republished online, it increases the harm and damage to the Plaintiffs. The Plaintiffs' claim against the Defendants is in relation to all versions of the Defamatory Manifesto that any of the

-38-

Defendants published on the Internet, regardless of any differences between published versions of the Defamatory Manifesto.

100. The Defendants did not acquire the domain names directly. Rather, in order to cover their tracks and frustrate the Plaintiffs' efforts to determine who was behind the Defamatory Manifesto, the Defendants hired Emir Hodzic, a freelance web developer based in Serajevo, Bosnia and Herzegovina, and potentially others, to register the websites on their behalf. This was a sophisticated attempt to obfuscate who was behind the Defamatory Manifesto and shield members of the Conspiracy from liability for their misconduct.

101. Despite Anson's requests, the current web hosts of the Defamatory Manifesto on [www.MarketCrimes.to](http://www.MarketCrimes.to) and [www.CapitalMarketCrimes.to](http://www.CapitalMarketCrimes.to) have refused to remove it. These websites were accessible on the Internet until recently before the date of the Statement of Claim.

102. The Plaintiffs expended considerable resources in response to the Defendants' online attack, including but not limited to hiring investigators in North America and overseas, and containing web registrars, hosts, message boards to mitigate the harm.

103. After the Plaintiffs worked with website registrars to have the Defamatory Manifesto removed from the websites described in paragraphs 98(a) through 98(f), the Defendants falsely alleged that Anson had undertaken a "Distributed Denial-of-Service" or "DDoS" attack – a type of illegal cyber attack – in order to have the Defamatory

-39-

Manifesto removed, further defaming Anson. This is false: the websites were voluntarily taken down by the website hosts or registrars.

***(vii) The Defendants conspire to lead widespread dissemination of the Defamatory Manifesto***

104. ***On the day the Defamatory Manifesto was initially published,*** September 27, 2020, “John Murphy” tweeted the first link to the Defamatory Manifesto on [www.MoezKassam.com](http://www.MoezKassam.com) – again demonstrating the involvement of the Doxtators in the Defamatory Manifesto and its proliferation. He included in his tweet the Twitter accounts of The Globe and Mail newspaper and BNN Bloomberg, with the aim of drawing the Unlawful Statements in the Defamatory Manifesto to their attention. From that initial tweet, the Defamatory Manifesto was reposted, shared and publicized widely around the Internet, including through social media.

105. On the same day, the Defendants anonymously sent an unsolicited email containing a link to the Defamatory Manifesto to a reporter at The Globe and Mail in an attempt to have the Unlawful Statements further publicized in the media. The Defendants used the email address “capitalmarketsinvestigation@protonmail.com”.

106. The Defendants also anonymously sent unsolicited emails containing a link to the Defamatory Manifesto (along with the false and defamatory content set out below) to individuals in the financial industry (the “**Unsolicited Emails**”). One version of the Unsolicited Emails was sent from the address “info@stockmanipulators.org” with the subject line “Hedge Fund Scandal in Canada and the U.S.: Moez Kassam and Anson Funds accused of Stealing Billions.” Another version of the Unsolicited Emails had the

-40-

title "Urgent News Tip – Huge Hedge Fund Fraud in America and Canada's Stock Markets".

107. The Unsolicited Emails sharing the Defamatory Manifesto contained further Unlawful Statements against the Plaintiffs. One version of the email included the following (emphasis added):

This is a huge developing story on insider trading, market manipulation and fraud within America and Canada's capital markets that I thought you might be interested in.

**Anson Funds and Moez Kassam have been destroying companies through illegal means** and their partners are some of the largest banks in the world.

The below investigative report looks at which banks are involved and how the fraud has taken place. A lot of very powerful people are going to find themselves under fire....

From what I have been led to believe Anson Funds have sponsored a huge DDOS attack against the various sites that hosted the article and they have all gone down now.

***The report obviously has these crooks very concerned and they are desperate no one reads the report. So we can now add cyber crimes to Anson's list of wrongs as well.***

108. Another version of the Unsolicited Emails stated the following:

We have a new tip for you that involves the almost unbelievable activities of a hedge fund based in the U.S. and Canada that has broken countless laws and because of their actions have taken billions from ordinary investors and destroyed a huge number of companies.

Please take a moment to read this piece: [link to "MarketCrimes.to".]

You might have heard rumours about it – but it has been going up and down due to huge DDOS attacks from the hedge fund in question who do not want this information getting out.

-41-

A second part will be coming soon but this really is a story that needs to see the light of day and I'm hoping you can share this piece with as many people as possible.

109. These Unsolicited Emails were designed and intended to further harm the Plaintiffs and damage their reputation in the financial industry.

110. On September 28, 2020 – the day after the Defamatory Manifesto was first published – Robert texted Spektor (the contact who introduced him to Anson) the following in reference to the Defamatory Manifesto (emphasis added):

***I knew it was coming...***

***I know who wrote...***

Moez likely going [to] sue

111. On September 29, 2020, “Betting Bruiser” tweeted a link to the Defamatory Manifesto, commenting:

Betting Bruiser  
@BettingBruiser

I have been a early voice of concern re: Moez Kassam, Sunni Puri & Anson Funds. Their tactics are simply sleight of hand with the gift of gab. I know their strategies very well this article shed some light on them.  
[#PotStocks](#)

Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure  
[moezkassam.com](http://moezkassam.com)

9:43 AM · Sep 29, 2020 · Twitter for iPhone

-42-

112. On September 29, 2020, shortly after Anson was able to have the Defamatory Manifesto taken down from [www.MoezKassam.com](http://www.MoezKassam.com), Jacob quickly tweeted a new link to the Defamatory Manifesto on a different website, [www.StockManipulators.com](http://www.StockManipulators.com) – again showing the Doxtators' involvement in the Defamatory Manifesto. He again included the Twitter accounts of the Globe and Mail, and reporter David Milstead, in his tweet:



Home [stockmanipulators.com](http://stockmanipulators.com). Cyber crimes added to the list of wrongdoings by [@AnsonGroupFunds](#) ? who funded this defense? unit holders? [@davidmilstead](#) [@globeandmail](#) [@thomasg\\_grizzle](#)

7:52 AM · Sep 29, 2020 · Twitter for iPhone

113. On September 29, 2020 “John Murphy” also tweeted:

big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]

114. On September 30, 2020, Robert referenced the Defamatory Manifesto in a “Betting Bruiser” tweet to advance his allegation that he was unpaid for certain due diligence:

Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don't pay anyone but themselves. \$ZENA \$APHA #PotStocks

115. On September 30, 2020, in response to an Anson press release denouncing the Unlawful Statements, “John Murphy” commented:

-43-

Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response.  
we are waiting @MunchingMoez ansonfunds.com/wp-content/upl...  
@QTRResearch @BettingBruiser @LamboJohnny @weedstreet420  
@davidmilstead

116. During this time, “John Murphy” re-tweeted several tweets publishing links to the Defamatory Manifesto. He also re-tweeted several of Robert’s tweets about the Plaintiffs, as well as those of other Twitter users sharing and discussing the Defamatory Manifesto, reflecting the Defendants’ concerted and coordinated effort to defame the Plaintiffs. He also repeated false allegations of a DDOS attack by Anson, in replying to a tweet by “Betting Bruiser” that contained a link to the Defamatory Manifesto with the following false allegation:

sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$gfl \$shrm many more

***(viii) Shortly after its publication, Robert attempts to leverage the Defamatory Manifesto to extract money from the Plaintiffs and magnify his attacks***

117. In early October 2020, Kassam approached Robert for information about who was behind the Defamatory Manifesto. In those conversations, Robert sought \$75,000 from Anson in relation to the due diligence he had provided, referenced in his September 30 tweet, and aggressively suggested that far more would be needed for information regarding the Unknown Defendants. He also sought blanket immunity, indemnification and a release from Anson before he would provide assistance, clearly attempting to use purported leverage against Kassam and Anson. In particular, Robert alleged that the

-44-

Unknown Defendants had promised to pay him \$250,000 to assist them, insinuating that a similar or greater amount would be needed from Anson in order for Robert to forego assisting the conspirators and/or to provide assistance to Anson.

118. In a Whatsapp chat on October 1, 2020, Robert, using the username "Betting Bruiser", sent Kassam the following messages (emphasis added):

I sent invoice for what I think you owe me ... if you don't pay it

***I can make 250k going to the other side***

And that's not owed to me ... ***that's just to help bury you. Choice is yours.***

[...]

Again ... I sent invoice for \$75k [which] I think is fair for what you owe me ... I wanna sign indemnification... then we go from there. I'll try my best to get you what you need. That's all.

119. On October 9, 2020, Kassam informed Robert via Whatsapp chat that Anson would no longer negotiate with him given his involvement in the Conspiracy. Anson was not prepared to provide Robert with payments or a release/indemnity. In response, Robert told Kassam that he had recorded a telephone conversation between them.

120. Shortly after the message exchange on October 9, "Betting Bruiser" published a series of tweets making false, defamatory, malicious and harassing allegations against Anson, Kassam and other individuals associated with Anson. Among other things, these tweets were in retaliation for Anson and Kassam refusing to accede to Robert's aggressive demands. "Betting Bruiser" also threatened to release the recordings that

-45-

Robert purportedly made of his private conversations with Kassam. These tweets included the following:

- (a) "One thing that was left out of the \$ZENA [Zenabis] and Anson Funds report was [the] fact that Anson's funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between \$ZENA & \$TLRY [Tilray] ... conflict of interest much? #Potstocks";
- (b) "Hi Laura [Salvatori, Anson's legal counsel] [Hand waving emoji] ... cause I know you follow every tweet I speak about Anson ... I thought I'd give you a shoutout! \$ZENA \$TLRY #PotStocks";
- (c) "If you r an Anson Funds investor ... be prepared to have your funds locked up b/c there is a lot [of] information floating out there that paints a picture of scams to benefit none other then [sic] Moez Kassam. \$ZENA story is just one of hundreds were its [sic] alleged he broke the law. #PotStocks";
- (d) "Maybe I should speak to regulators about Anson Funds and collect the reward in 50 years .... Or should I just leak snippets of recorded conversations with Moez Kassam? Thoughts? #PotStocks"; and
- (e) "I think I'm going [to] release some of the recordings about Moez Kassam ... just interested how much money Anson pays Ben Axler from @sprucepointcap ... you care to comment Ben?"

-46-

121. The tweet described immediately above was accompanied by a purported transcript of a recent conversation between Kassam and Robert. In fact, the conversation that was transcribed occurred several years ago and the tweet was misleading. This was another attempt by Robert to deceive his Twitter followers and defame the Plaintiffs.

122. On October 9, 2020 — the Friday before Thanksgiving weekend — “Betting Bruiser” wished death on Kassam:



Betting Bruiser  
@BettingBruiser

Everyone have a good long weekend expect for Anson Funds Moez Kassam .... he can choke on a wishbone!  
**#PotStocks**

4:55 PM · Oct 9, 2020 · Twitter for iPhone

4 Retweets 1 Quote Tweet 105 Likes

123. On October 29, 2020, shortly after the Defamatory Manifesto was republished on [www.MarketCrimes.to](http://www.MarketCrimes.to), “John Murphy” tweeted a link to the new website, and included in the tweet the Twitter accounts of BNN Bloomberg and Jeff Kehoe, the Director of Enforcement for the OSC, to bring the Defamatory Manifesto to their attention and attempt to cause the maximum harm to the Plaintiffs.

124. On October 30, 2020, “Betting Bruiser” posted further Unlawful Statements regarding Anson and Kassam:

- (a) he posted a recording of part of a recent conversation between Robert and Kassam regarding the Conspiracy, with the following comment: “This is

-47-

Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is the scum of the earth"; and

(b) "He doesn't have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying @sprucepointcap @CitronResearch @FriendlyBearSA and others ... why did you block me Ben Adler ... is it the fact your Moez Kassam lapdog?"

125. On October 31, 2020, "Betting Bruiser" posted a tweet encouraging vandalism of Kassam's house:

Betting Bruiser  
@BettingBruiser

Happy Halloween to the #PotStocks community!

Trick or Treat:

Who is going to toilet paper Moez Kassams house tonight? \$ZENA executives should just throw stock as it's cheaper then toilet paper!

12:48 PM · Oct 31, 2020 · Twitter for iPhone

-48-

***(ix) The Defamatory Manifesto was disseminated widely online***

126. The Defendants have discussed, shared and published links to the Defamatory Manifesto, and/or hired others to discuss, share and publish links to the Defamatory Manifesto on their behalf, on several other websites and Internet message boards, including but not limited to Reddit, Stockhouse, Yahoo Finance and on social media. The Defendants or their proxies shared the Defamatory Manifesto in these industry forums using anonymous accounts. The Defendants also made further Unlawful Statements against the Plaintiffs while publicizing links to the Defamatory Manifesto on these specialized message boards – all designed to cause the Plaintiffs maximum harm.

127. The messages publicizing the Defamatory Manifesto on blogs or chat forums often used similar or the exact same wording as one another (but were published by different usernames), reflecting the Defendants' sophisticated and coordinated effort to anonymously disseminate the Defamatory Manifesto as widely as possible to maximize the damage caused to the Plaintiffs.

128. For example, the Defendants and/or their proxies shared links to the Defamatory Manifesto on Yahoo Finance with the comments including the following:

- (a) a user named "America" commented, "Will the Canadian regulators do something? I cannot believe someone has been able to get away with this for so long";

-49-

- (b) a user named “Antti” commented, “Canadian hedge fund under fire for illegal practices[.] Looks like Anson have managed to take those sites down – they don’t want the world to know about their crimes”;
- (c) a user named “Alissa” published several messages sharing the Defamatory Manifesto, commenting, “This is everything that’s wrong with the stock market... Looks like a big scandal might be unfolding”, “Have anyone else seen this??? Bomb report on Moez Kassam and Anson Funds. About time ... Clean up what’s truly dirty and rotten to the core” and “Interesting investigative piece looking at a short selling group that have scammed investors out of billions. It’s a must read”; and
- (d) a user named “Daniela” commented, “Seems like a scandal might be starting in the Canadian markets[.] Take a look at this article I found on another community about this hedge fund guy that has been running amok in the Canadian markets – crazy...”.

129. Messages sharing links to the Defamatory Manifesto also appeared on Stockhouse using similar language to the messages described above. Comments on Stockhouse included the following:

- (a) on September 29, 2020, a user named “KhalidZ” shared a link to the Defamatory Manifesto with comments almost identical to those of “Daniela”, described above: “A scandal might be starting to unfold in the Canadian market[.] Take a look at this article I found on another community about this

-50-

hedge fund guy that has been running amok in the Canadian markets – crazy...”; and

- (b) on October 1, 2020, a user named “HannaJensen” shared a link to the Defamatory Manifesto with comments identical to those published by “Alissa”, described above: “Interesting investigative piece looking at short selling group that have scammed investors out of billions”.

## E. THE DEFENDANTS ARE LIABLE

130. The Defendants are liable to the Plaintiffs for conspiracy, publicity that inaccurately places the plaintiff in a false light, intentional interference with economic relations, misappropriation of personality, and defamation.

### *(i) The Defendants’ Tortious Conspiracy Against Anson*

131. Robert, Jacob and the Unknown Defendants conspired with one another to make and publicize the Unlawful Statements against the Plaintiffs. They formed an agreement with one another to injure the Plaintiffs, and in making the Unlawful Statements, their predominant purpose was to injure the Plaintiffs – namely, by damaging their business and reputation.

132. The Defendants knew, or should have known, that the Unlawful Statements about the Plaintiffs and the publicity attached to them would be extremely harmful to the Plaintiffs, damaging their reputation and business.

-51-

133. The Defendants acted in furtherance of the Conspiracy by making, assisting with, participating in, and/or publicizing the Unlawful Statements, causing damage to the Plaintiffs.

***(ii) False light***

134. In addition, the Defendants are liable for placing Anson and Kassam in a false light.

135. By making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants gave publicity to very serious allegations against Anson and Kassam that placed them in a false light. The Defendants have publicly, falsely accused Anson and Kassam of serious crimes – including fraud, insider trading and other significant breaches of applicable securities laws and regulations, as well as cyber crimes. These allegations would be highly offensive to a reasonable person.

136. In making, assisting with, participating in and/or publicizing the Unlawful Statements, the Defendants knew or recklessly disregarded the falsity of the Unlawful Statements against Anson and Kassam and the false light in which they would thereby be placed.

***(iii) Intentional interference with economic relations***

137. By making, assisting with, contributing to and/or publicizing the Unlawful Statements through the Unlawful Stockhouse Statements, the Defamatory Manifesto, Robert Lee and Jacob's Twitter accounts, and other websites the Defendants are liable for intentional interference with Anson's economic relations.

-52-

138. The Defendants, with the intention of harming Anson's business and damaging its reputation, made a series of false, malicious, defamatory and unlawful public statements about Anson's principal, Kassam, as well as other Anson personnel, including Puri and Anson's General Counsel, Laura Salvatori. The Unlawful Statements accused Kassam, and by extension Anson, of unlawful, dishonest and criminal conduct. The Defendants intentionally harmed Anson through making Unlawful Statements about Kassam.

***(iv) Appropriation of personality***

139. The Defendants are liable for wrongfully appropriating Kassam's personality by purchasing the domain name "www.MoezKassam.com" and using it to publicize the Unlawful Statements regarding Anson and Kassam. The Defendants also acquired the email address "info@moezkassam.com" in furtherance of the Conspiracy.

140. By using the domain name in this manner, they violated Kassam's exclusive right to use his own identity, particularly his name, causing damage.

***(v) Defamation***

141. Finally, the Defendants are liable for defamation for the false and highly defamatory statements made in the Unlawful Stockhouse Statements, the Unsolicited Emails, and, ultimately, the Defamatory Manifesto (which was published multiple times, using various domain names). The Doxatators are further liable for the false and defamatory statements they published about the Plaintiffs on Twitter.

-53-

**The Unlawful Stockhouse Statements are Defamatory**

142. The Unlawful Stockhouse Statements (discussed above at paragraphs 40 to 68) in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unlawful Stockhouse Statements, and without limiting the generality of the foregoing, the Unlawful Stockhouse Statements would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are corrupt, dishonest, deceptive, duplicitous and cannot be trusted;
- (b) they destroy and/or devalue companies and their shareholders through nefarious means in order to benefit financially;
- (c) they get in over their heads and are unable to control their investments/trading strategies, and/or are inept, incompetent and reckless in their investment/trading practices;
- (d) they engage in unlawful and illegal activities, including market manipulation, abusive trading practices, and securities law and/or criminal law violations;
- (e) they published or participated in the creation of false research reports for the purpose of manipulating the market; and
- (f) they ought to be investigated, including by regulators.

-54-

143. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the July 23 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they are criminals;
- (b) they bribe and/or induce regulators through other means to ignore their unlawful and/or illegal activities;
- (c) they do not exercise proper judgment and they make poor business decisions;
- (d) they cannot be trusted with investors' funds;
- (e) they have not legitimately earned their success and goodwill;
- (f) the Anson Funds lost millions of dollars due to their reckless conduct; and
- (g) they were humiliated and desperate as a result of the losses they incurred.

144. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 14 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they caused Anson Funds to lose hundreds of millions of dollars due to their reckless conduct or ineptitude;

-55-

- (b) they were humiliated and desperate as a result of their business losses;
- (c) they ought to be avoided, as associating with them will result in harm;
- (d) they encourage or induce others to become corrupt;
- (e) they caused or contributed to the publication of misleading, false, and/or fraudulent information regarding a legitimate company;
- (f) they will be investigated and punished by regulators; and
- (g) with respect to Kassam, in particular, that he is unscrupulous, immoral and unethical.

145. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 17 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they have significantly harmed the capital markets through their unethical, unlawful, duplicitous and/or illegal conduct;
- (b) they engaged in malicious, unlawful, and targeted attacks and/or trading and other conduct to harm Aphria and its shareholders in order to increase their own wealth;
- (c) they engage in predatory, opportunistic, dishonest and unethical conduct for financial gain;

-56-

- (d) they corrupt and/or induce others to engage in or assist in improper conduct;
- (e) they unlawfully and/or improperly obtained and misused confidential/insider/material non-public information;
- (f) they provided false, fraudulent, or misleading information about Aphria for publication and dissemination to harm Aphria, and for their own gain;
- (g) they profit off the hardship and damage they cause to others;
- (h) they will be investigated and punished; and
- (i) with respect to Kassam in particular, that:
  - i. he is two-faced, a fake and a fraud; and
  - ii. he is amoral, lacks a conscience, and engages in reprehensible and antisocial conduct.

146. In addition to the meanings set out in paragraph 142, and in addition to its plain and ordinary meaning, the August 28 Stockhouse Post would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals:

- (a) they used illegal, unethical, and/or nefarious means to destroy and/or devalue the Canadian company, Zenabis, for financial gain;

-57-

- (b) they covertly or otherwise inserted a “stooge” to influence Zenabis’ decisions and/or cause the company to act against its own interests for Anson’s gain;
- (c) they exploit, induce and/or corrupt others to engage in dishonest, illegal, unlawful, and/or unethical activities on their behalf;
- (d) they coerce, deceive, or trick companies into acting against those companies own interests and/or into making poor decisions for the Plaintiffs’ financial gain;
- (e) they knowingly, intentionally or recklessly encourage and/or engage in conflicts of interests for ulterior purposes;
- (f) the Anson Funds lost millions of dollars due to the reckless conduct of its principals;
- (g) they engaged in illegal and unlawful activity including securities law violations, such as insider trading and failing to disclose information as required by law; and
- (h) they will target, attack, harm and/or destroy more companies.

### **The Defamatory Manifesto**

147. The Defamatory Manifesto (discussed above at paragraphs 69 to 96) in its entirety, in its natural and ordinary meaning, including its express and implied meaning in its full context, and/or by innuendo, including in conjunction with the images contained in the

-58-

Defamatory Manifesto, is false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the statements contained in the Defamatory Manifesto, and without limiting the generality of the foregoing, the Defamatory Manifesto would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam, repeatedly, intentionally and maliciously engaged in unlawful and illegal business practices to destroy, and did destroy or cause harm to, legitimate companies and businesses, including Aphria, Zenabis and Genius, to increase their financial wealth. In addition, and more particularly, the Defamatory Manifesto means or would be understood to mean that Anson and its principals:

- (a) are deceptive, dishonest, deceitful, sneaky, duplicitous, immoral, unscrupulous and cannot be trusted;
- (b) lack integrity, are unethical, predatory, and corrupt;
- (c) are liars, cheats, thieves and crooks;
- (d) have not legitimately earned their success and goodwill;
- (e) are incompetent and/or inept in business;
- (f) they attempted to harm and/or destroy legitimate companies, including Tilray and Facedrive, but failed due to their incompetence and/or ineptitude;
- (g) are desperate, and engage in rash, reckless and/or extreme behaviour;
- (h) engage in predatory, surreptitious and unethical business practices;

-59-

- (i) engaged in, and continue to engage in, unlawful and/or illegal activities, including securities law and/or criminal law violations, and including fraud, illegal short-selling schemes, market manipulation, abusive trading practices and insider trading;
- (j) involved other entities in their unlawful, illegal, and/or fraudulent activities;
- (k) engaged in conspiracies with other entities, including by paying for short reports and long/buy reports, in order to benefit financially;
- (l) committed, and continue to commit, crimes and/or are criminals;
- (m) are part of a criminal enterprise and/or criminal alliance;
- (n) operate their business in a manner that is contrary to applicable law and regulations;
- (o) breached, and continue to breach, securities laws and regulatory rules and policies;
- (p) unlawfully and/or illegally obtained and misused confidential/insider/material non-public information;
- (q) exploit information or resources that they have been trusted to protect;
- (r) published or participated in the creation of false research reports for the purpose of manipulating the market;

-60-

- (s) use unlawful and/or illegal means to silence critics because they have something nefarious to hide;
- (t) robbed and/or defrauded North American shareholders of millions of dollars;
- (u) harmed investors in Canada and the United States;
- (v) targeted and destroyed legitimate companies through nefarious means to increase their wealth;
- (w) made false reports to regulators and engaged in fraudulent social media campaigns to manipulate the capital markets;
- (x) inflict serious harm on the Canadian capital markets and on investors;
- (y) are involved in fraudulent activity of the kind that ought to concern authorities and regulators;
- (z) ought to be investigated, including by regulators in Canada and the United States;
- (aa) are being, have been, and/or will be investigated by regulators;
- (bb) ought to be and/or will be penalized and/or imprisoned;
- (cc) have caused, are causing, and will cause financial ruin to their partners, investors, and other capital market participants; and

-61-

(dd) with respect to Kassam, in particular:

- i. that he is a sociopath, engages in reprehensible and repulsive conduct, is amoral, lacks a conscience, and engages in antisocial behaviour; and
- ii. does not exercise judgment and cannot be trusted with investors' funds.

### **Robert Lee Doxtator's Defamatory Tweets**

148. In addition to the foregoing and as set out below, the Defendant Robert is liable to the Plaintiffs for defamation in relation to a number of tweets he published under the username "Betting Bruiser". The defamatory tweets of which the Plaintiffs are currently aware are included as Appendix "A". They include, but are not limited to, the following:

- (a) as discussed above at paragraph 38(a) an August 25, 2019 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs put out a false report "to manipulate the market so they could cover an already short position";
- (b) as discussed above at paragraph 38(b) another August 25, 2019 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs had "connections to other short sellers and market manipulators" and "historically invested [in] and the death spiral the fund created to cash out their short positions";
- (c) as discussed above at paragraph 38(c), on August 26, 2019, "Betting Bruiser" published several tweets falsely alleging that the Plaintiffs used a representative on Zenabis' Board of Directors, Adam Spears, to negatively

-62-

influence the company's business decisions, reduce its share price and provide them with inside information/material non-public information;

- (d) as discussed above at paragraph 38(d), a subsequent tweet on August 26, 2019 alleged that Spears was "recording conversations of [Zenabis] management and executives in hopes of Anson blackmailing or using the info for the detriment of the company";
- (e) as discussed above at paragraph 111, a September 29, 2020 tweet from "Betting Bruiser" falsely alleged that the Plaintiffs use "tactics" that "are simply sleight of hand with the gift of gab";
- (f) as discussed above at paragraph 114, in a subsequent tweet on September 30, Robert alleged that the Plaintiffs "use people and don't pay anyone but themselves";
- (g) as discussed above at paragraph 120, on October 9 Robert published a series of tweets, falsely alleging a "toxic financing deal" involving Anson's legal counsel, that Anson Funds investors ought to "be prepared to have [their] funds locked up" given the information indicating "scams to benefit...Kassam" and allegations "he broke the law", threatening to "speak to regulators about Anson Funds" to collect a reward, and falsely alleging that the Plaintiffs pay Ben Axler;
- (h) as discussed above at paragraph 124, on October 30, Robert published tweets alleging that Kassam is "running scared from recent reports about

-63-

his tactics" and "the scum of the earth", and that he has others do "his dirty work for him".

149. These tweets, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the plain and ordinary meaning of each of the tweets, they would lead a reasonable reader to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) are liars, are dishonest, duplicitous, immoral, deceptive, unscrupulous, unethical, sneaky, and cannot be trusted;
- (b) engage in unlawful and illegal conduct, including securities law and/or criminal law violations, and including insider trading, market manipulation, abusive trading practices and fraud; and
- (c) destroy legitimate businesses through nefarious means for their financial gain.

150. Additionally, the October 9 series of Tweets, in addition to their plain and ordinary meaning, would lead readers to conclude, or would mean or would be understood to mean, that Anson and its principals, including Kassam:

- (a) ought to be and will be investigated, including by regulators; and
- (b) will cause harm to their investors.

-64-

### **Jacob Doxtator's Defamatory Tweets**

151. In addition to the foregoing and as set out below, the Defendant Jacob is liable to the Plaintiffs for defamation in relation to a number of tweets he published using the alter-ego named "John Murphy" with the username @JohnMur67039142, which are, in their natural and ordinary meaning, including their express and implied meaning, and/or by innuendo, are false and defamatory of the Plaintiffs. The defamatory tweets of which the Plaintiffs are currently aware are included as Appendix "B", and include, but are not limited to, the following:

- (a) as discussed above at paragraph 55, an August 14, 2020 retweet falsely claimed that Anson was behind the Hindenburg Research report regarding Aphria, included a picture of Kassam, and stated "how dirty moez hurt his business partner [sic] and lied to the founders of \$apha [Aphria]. On the same day Jacob also tweeted that Kassam had "paid for negative promotions" regarding Facedrve, Aphria, Tilray "and many more". In addition to the plain and ordinary meaning of these tweets, the tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
  - i. are corrupt, dishonest, deceitful, deceptive, duplicitous, and cannot be trusted;
  - ii. engaged in malicious, unlawful, and targeted attacks to harm legitimate companies and their shareholders; and

-65-

- iii. provided false, fraudulent, or misleading information about legitimate companies (including Aphria, Facedrive and Tilray) for publication and dissemination to harm them;
- (b) as discussed above at paragraph 71, a September 10, 2020 tweet stated that regulators should scrutinize Anson and Kassam: "these reverse pump and dumps must be watched more closely by the regulators. moez [sic] and his band fund these trades every week..." In addition to the plain and ordinary meaning of the tweet, the tweet would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
  - i. engage in unlawful and illegal activities, including securities law violations; and
  - ii. ought to be investigated, including by regulators;
- (c) as discussed above at paragraphs 72 and 113, a September 12, 2020 tweet alleged "anson [sic] is a very corrupt cad fund nake [sic] shorting many small cap co's and when they get in trouble / want to cover they pay groups like @HindenburgRes to say the co is a fraud and going to zero. how many zeros have they called. the bottom is normally around when the piece comes out". On September 29, he added, "big difference from shorting a fraud and paying for a short report calling a company a fraud to try and fix your trade. bad companies need to be taken down. big difference between the two. anson does both! [sic]". In addition to the plain and ordinary

-66-

meaning of these tweets, the tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:

- i. are corrupt, reckless and dishonest; and
  - ii. provide false, fraudulent, or misleading information about legitimate companies to harm those companies and benefit themselves; and
- (d) as discussed above at paragraphs 112 and 116, two September 29, 2020 tweets included a link to the Defamatory Manifesto, and stated: “stockmanipulators.com. Cyber crimes added to the list of wrongdoings by @AnsonGroupFunds ? who funded this defense? Unit holders?”, and “sounds like #moez attacked the site where the @AnsonGroupFunds report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for @MunchingMoez @davidmilstead \$apha \$fd \$shrm many more.” In addition to the plain and ordinary meaning of these tweets, these tweets would lead a reasonable reader to conclude that Anson and its principals, including Kassam:
- i. engage in illegal and unlawful activities, including criminal law violations and are criminals;
  - ii. are dishonest and deceptive; and
  - iii. misuse investor funds, including for their personal benefit.

-67-

152. Jacob is also liable for using the “John Murphy” Twitter account to re-tweet other Twitter users’ false and defamatory statements about the Plaintiffs.

#### **The Unsolicited Emails are Defamatory**

153. As discussed above at paragraphs 106 to 109, the Defendants anonymously sent Unsolicited Emails regarding the Plaintiffs. The Unsolicited Emails, in their entirety, in their natural and ordinary meaning, including their express and implied meaning in their full context, and/or by innuendo, are false and defamatory of the Plaintiffs. In addition to the natural and ordinary meanings of the Unlawful Statements contained in the Unsolicited Emails, and without limiting the generality of the foregoing, the Unsolicited Emails would lead a reasonable reader to conclude, or would mean or would be understood to mean, the following regarding Anson and its principals, including Kassam:

- (a) they engage in wrongdoing, unlawful, illegal, and unethical conduct, including securities law and/or criminal law violations, insider trading, market manipulation, abusive trading practices, fraud and cybercrimes;
- (b) they destroy legitimate businesses through nefarious means;
- (c) they have robbed shareholders of billions of dollars;
- (d) they are dishonest and cannot be trusted; and
- (e) they are criminals.

154. The Plaintiffs have not seen all of the Unsolicited Emails or any of the emails in their entirety and reserve their right to amend this pleading to add additional meanings and/or claims once they are discovered.

-68-

**The Defendants were Malicious**

155. The Defendants acted with malice: they made, assisted with, participated in and/or publicized the Unlawful Statements, knowing that the Unlawful Statements were false or misleading and/or while intentionally, recklessly or callously disregarding their falsity and the harm that the allegations would do to the Plaintiffs. They acted for the predominant purposes of harming the Plaintiffs, including in pursuit of their animus and vendetta against the Plaintiffs. Examples of the Defendants' malicious conduct include the Defamatory Manifesto soliciting readers to confidentially provide additional material for future Defamatory Manifestos, and the Defendants' continuous efforts to draw the Unlawful Statements to the attention of regulators and the media.

156. The Defendants repeatedly published the Unlawful Statements on various websites and through various means, including through the Unlawful Stockhouse Statements, the Unsolicited Emails, the Defamatory Manifesto, and the tweets described above, in an attempt to publish them to the widest audience possible and cause the greatest commercial and emotional harm to the Plaintiffs as possible.

157. The Defendants are also liable for republication of the Unlawful Statements, which was a natural and probable result of the Unlawful Statements. In fact, the Defendants actively encouraged re-publication of the Defamatory Manifesto, both in the text of the Defamatory Manifesto itself, and in Robert's and Jacob's tweets sharing the Defamatory Manifesto. Republications of the Defamatory Manifesto currently remain online.

## **F. DAMAGES**

158. The Defendants' conduct has caused substantial damage to the Plaintiffs' business and reputations. The Unlawful Statements have been widely distributed and publicized and have been viewed by thousands of people to date. A version of the Defamatory Manifesto remains widely available on the Internet. The Unlawful Statements have significantly interfered with and disrupted the Plaintiffs' business and affairs and their relationship with clients, counterparties, and potential investors, leading to a loss of business opportunities.

159. Moreover, the Plaintiffs have incurred significant costs and spent a significant amount of time investigating who is behind the Conspiracy and in seeking to have the Unlawful Statements removed from various websites.

160. As mentioned above, Anson has also received threatening telephone calls to its offices because of the Unlawful Statements.

161. Particulars regarding damages will be provided in advance of trial.

162. The Plaintiffs also seek an interim, interlocutory and permanent injunction restraining the Defendants from publishing further unlawful and defamatory statements about the Plaintiffs. As noted above, despite Anson's diligent attempts to have the Defamatory Manifesto removed from the Internet, the Defendants persist in acquiring new websites to publish and disseminate the Defamatory Manifesto, and in repeating the Unlawful Statements and publicizing the Defamatory Manifesto through social media, including Twitter. In addition, the Defendants continue to threaten the release of two

-70-

additional “Parts”. This has caused, is causing, and will continue to cause irreparable harm to the Plaintiffs’ business and their reputations. This nonstop game of “whack-a-mole” cries out for a remedy.

163. Finally, the Defendants are liable for aggravated and punitive or exemplary damages. The Defendants maliciously and intentionally caused harm to the Plaintiffs through the repeated and coordinated publication, and broad online dissemination, of the Unlawful Statements. Further, Robert attempted to obtain significant payments and other benefits to purportedly assist Anson, which Anson refused. The Defendants knew, and in fact intended, that serious harm would result from their unlawful conduct.

164. The Defendants executed a coordinated, malicious campaign to spread lies about the Plaintiffs and damage their business, including attempting to reach the attention of securities regulators such as the OSC, the SEC, and IIROC. The Plaintiffs believe that the Defendants intended to cause them to become the subject of regulatory inquiries or investigations on the basis of these false and misleading allegations. Such inquiries or investigations would result in serious and irreparable reputational harm, and in addition would force the Plaintiffs to divert significant time, financial and other resources, and management attention, towards addressing any such inquiries or investigations. The Defendants also took steps to attract media attention to the Unlawful Statements in an attempt to further publicize them. The Defendants acted in a high-handed, malicious, arbitrary and/or highly reprehensible manner, as set above, which constitutes a marked departure from ordinary standards of decent behaviour. The Defendants’ conduct requires the sanction of the Court.

-71-

165. The Plaintiffs propose that this action be tried at Toronto.

166. The Plaintiffs rely on the *Libel and Slander Act*, R.S.O. 1990, c. L.12 and the *Courts of Justice Act*, R.S.O. 1990, c. C.43, s. 101.

December 17, 2020

**BLAKE, CASSELS & GRAYDON LLP**  
Barristers & Solicitors  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto ON M5L 1A9

**Michael Barrack** LSO #21941W  
Tel: 416-863-5280  
michael.barrack@blakes.com

**Iris Fischer** LSO #52762M  
Tel: 416-863-2408  
iris.fischer@blakes.com

**Kaley Pulfer** LSO #58413T  
Tel: 416-863-2756  
kaley.pulfer@blakes.com

**Christopher DiMatteo** LSO #68711E  
Tel: 416-863-3342  
Fax: 416-863-2653  
christopher.dimatteo@blakes.com

Lawyers for the Plaintiffs

APPENDIX "A" – "Betting Bruiser" Tweets

Betting Bruiser  
@BettingBruiser

Month ago the market listened to the 'Friendly Bear' put out a bullshit short report on \$HEXO.

The Bear is controlled and ran by Moez Kassam & Sunny Puri of Anson.

They put out the report to manipulate the market so they could cover an already short position. #Potstocks

**Moez**

It's not a fund 11:05 AM

It's me 11:05 AM

Just the guy we use to write 11:05 AM

If the bar is high enough 11:05 AM

He doesn't want to get sued 11:06 AM

**HEXO**

**Is Hexo The Next CannTrust? Snapchat Advertising May Run Afoul of Health Canada**

**Hexo, pot investors shrug off Friendly Bear short-seller report**

Kristine Owram, Bloomberg News

[Facebook](#) [Twitter](#) [Link](#)

10:54 AM · Aug 25, 2019 · Twitter for iPhone

9 Retweets 2 Quote Tweets 49 Likes



Betting Bruiser @BettingBruiser · Aug 25, 2019

Replying to @BettingBruiser

I'm going spend the next week exposing the Anson fund connections to other short sellers and market manipulators. Which #Potstocks has the fund has historically invested and the death spiral the fund created to cash out their short positions.



@LamboJohnny

Just bumped into Moez head of Anson Fundell He owns over 15% of

**Betting Bruiser** @BettingBruiser · Aug 25, 2019

...

They recorded conversations without \$HEXO executives knowledge in hopes of using it for their own financial gain - under guise they would provide Private Placement funding for #Potstocks companies in "need"... vulture type tactics.

2

2

39

↑

**Betting Bruiser** @BettingBruiser · Aug 25, 2019

...

For those investors that don't understand what Anson Funds does to stocks they 'invest in' ... here is great story about them & their tactics. #Potstocks



Acasta Enterprises to 'unwind' controversial debt-to-equity deal  
🔗 financialpost.com

1

3

23

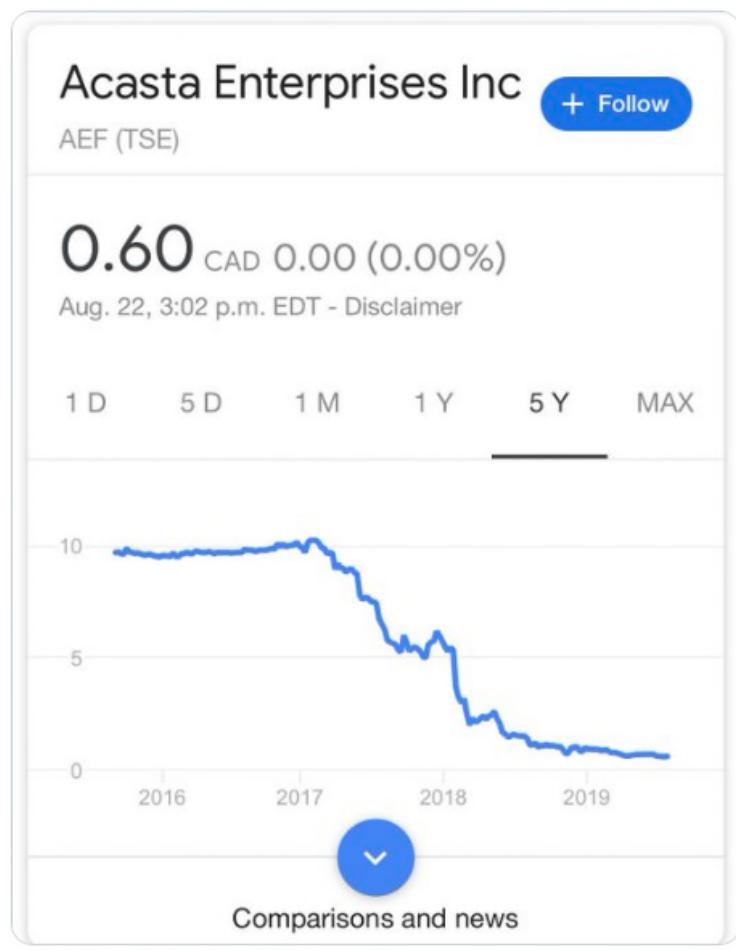
↑



Betting Bruiser  
@BettingBruiser

Replying to @BettingBruiser

It's always a similar result ... yet Anson Funds still makes money hand over fist... #Potstocks



4:00 PM · Aug 25, 2019 · Twitter for iPhone



Betting Bruiser  
@BettingBruiser

Replies to @LamboJohnny and @LaurenceJeuness

Right about what? That's Anson doesn't appear on Sedi as insider. No they don't and that's part of the problem. In cases where they have former managers as "independent" directors how are they not insiders?

4:52 PM · Aug 25, 2019 · Twitter for iPhone



Betting Bruiser @BettingBruiser · Aug 25, 2019

Hey @LamboJohnny if this is true ... why don't we see Anson Funds name come up as being escrowed on Sedi for owning more than 10%? I don't see Moez name either ... Anson not on any SEDI filing since 2016 for \$SOL  
#Potstocks [twitter.com/LamboJohnny/st...](https://twitter.com/LamboJohnny/st...)

This Tweet is unavailable.

6

11

14

1

1



Betting Bruiser @BettingBruiser · Aug 25, 2019

Oh they have converts .. that they use to cover their short positions without suspecting retail investors ... creating any visible cover or tripping any insider trading reports... why not listed on Sedi? Cause they using the same convert scheme they use with everyone else!

1

11

4

1

1



Betting Bruiser  
@BettingBruiser

A lot DM's about [\\$ZENA](#) & Anson Funds.

Anson Funds holds a boatload of converts in [\\$ZENA](#) that they are using to cover their short position.

They've had a direct hand creating chaos within management decisions. Including the listing price. How so? Anson representative! [#Potstocks](#)



**Adam Spears**  
**Independent Director**

- Founder of ace148, an investment company
- Was a Principal and Portfolio Manager at Anson Funds where he managed multiple long-short equity hedge funds
- Also worked in private equity at ONCAP Management Partners, and in the investment banking group of Citigroup Global Markets

9:09 AM · Aug 26, 2019 · Twitter for iPhone

4 Retweets 4 Quote Tweets 35 Likes



**Betting Bruiser** @BettingBruiser · Aug 26, 2019

Replying to @BettingBruiser

The entire problems relating to the former CEO leaving, taking the \$TLRY deal and now death spiral financing. Was in relation to \$ZENA attempting to limit Anson's ability to cover and manipulate the share price down further. The current \$ZENA CEO is out of league. #Potstocks

3 1 15 1



**Betting Bruiser** @BettingBruiser · Aug 26, 2019

\$TLRY themselves wanted to offer a helping hand. As that company is the only successful #Potstocks to date to squeeze Anson Funds for a loss to my knowledge. Despite Anson Funds getting @CitronResearch to pump out as many \$TLRY short pieces it possibly could. #Potstocks

2 2 20 1



**Betting Bruiser** @BettingBruiser · Aug 26, 2019

I'd love to talk to the @CEO\_Zenabis to try to help... but it may be a case of to little to late ... CEO wants to convert all debts to a bank loan... that's a start but expect Anson Funds to fight tooth and nail against that. Their independent director acts for Anson. #Potstocks

3 1 18 1



**Betting Bruiser** @BettingBruiser · Aug 26, 2019

As in the case with \$HEXO ... I wouldn't doubt that Adam is recording conversations of \$ZENA management and executives in hopes of Anson blackmailing or using the info for the detriment of the company. Adam needs to be removed. #Potstocks

3 1 14 1



**Chris Rutherford** @RutherfordCG · Aug 26, 2019

Replying to @BettingBruiser

How is it legal for Adam to be on the board and do what this guy is doing? It's not in the best interests of @Zenabis obviously. @CEO\_Zenabis

1 1 1 1



**Betting Bruiser** @BettingBruiser · Aug 26, 2019

No it's not ... like \$AEF Anson will argue that they acting in best interest of the shareholder ... all a guise ...



Betting Bruiser  
@BettingBruiser

Journalist Virtue Signalling about #PotStocks .... while journalist are the worse Bay Street litter bugs... all they do is put trash on the street they receive directly from Anson, MMCap, K2 & Scamaccord.



All dried up: How Bay Street cashed in on the cannabis frenzy before the carnage  
The smart money got out before the cannabis bubble burst. Now, retail investors are suffering and pot companies face a financing drought  
©theglobeandmail.com

11:35 AM · Nov 2, 2019 · Twitter for iPhone



Betting Bruiser  
@BettingBruiser

Replies to @WolfOfWeedST @ChrisParry and @issatraprunhide

Before Chris' article ... before your tweet ... at a cannabis conference when the \$MMEN executives revealed their evaluation I called it "the most overvalued cannabis stock to come to market to date"... they were being advised by Anson Funds long ago ...

2:59 PM · Nov 28, 2019 · Twitter for iPhone



Betting Bruiser @BettingBruiser · Dec 19, 2019

Replies to @BCobblaw

30%+ seems like they got that position from shorting it down & not from buying it ... rather not have Anson as shareholder? ... we all know Moez was renting Andy's house over the summer months ... they are besties!

1

1

3

1

1

Betting Bruiser  
@BettingBruiser

Looks like the day before the big layoffs at [\\$ACRG.U](#) [\\$ACRG](#) CEO Kevin Murphy is breaking bread with short sellers from Anson Funds. Only if the [@OSC\\_News](#) was privy to them to the conversation. [#PotStocks](#)

munchingmoez 20h

@acreageholdings  
@Jdohertyiii  
#kevinmurphy

CORE: CLUB

Send Message

4:13 PM - Feb 25, 2020 - Twitter for iPhone

26 Likes

..



Betting Bruiser  
@BettingBruiser

...

The biggest chicken hawk that I've ever met in my life.  
Every time I see him we have words.

Sunny Puri from Anson Funds.

If you've ever crossed paths with him then your stock is likely -95% from its high and he holds your faint in his hands via convertible debt. [#PotStocks](#)



11:11 AM · Mar 11, 2020 · Twitter for iPhone

4 Retweets 39 Likes



Betting Bruiser  
@BettingBruiser

...

Watch "Moez Kassam" from Anson Funds on [#Vimeo](#) give short sellers a bad name. Cringe worthy. I think that's filmed at [@DeFrancesco\\_A](#) house in the Muskoka? [vimeo.com/140274640](https://vimeo.com/140274640) #PotStocks



Moez Kassam

This is "Moez Kassam" by Charles Chan on Vimeo, the home for high quality videos and the people who love them.

[vimeo.com](https://vimeo.com)

1:54 PM · Jul 2, 2020 · Twitter for iPhone



Betting Bruiser  
@BettingBruiser

...

Replies to [@BettingBruiser](#)

Director: Rick Brar former CEO & Co-Founder of [@Zenabis \\$ZENA](#)

Secretly gave Anson Funds a share loan agreement so they could short [\\$ZENA](#) to the dismay of retail investors. Upon finalizing that he aggressively dumped all his shares. [\\$ZENA -98%. \\$2.25 to \\$0.08 #PotStocks](#)  
2/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



Betting Bruiser  
@BettingBruiser

...

Replies to @BettingBruiser

Director, President and Co-Chief Executive Officer, Chief Financial Officer: Eli Dusenbury

A rent a CFO whoms main gig was a CFO of **#PotStocks** Company **\$ISOL @isodiol**. Ankther company directly involving Anson Funds. Another company which has seen a 98% fall in share price. 8/9

9:50 AM · Jul 6, 2020 · Twitter for iPhone



Betting Bruiser  
@BettingBruiser

▼

I have been a early voice of concern re: Moez Kassam, Sunni Puri & Anson Funds. Their tactics are simply sleight of hand with the gift of gab. I know their strategies very well this article shed some light on them.  
**#PotStocks**



Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure  
[moezkassam.com](http://moezkassam.com)

9:43 AM · Sep 29, 2020 · Twitter for iPhone

**8** Retweets   **2** Quote Tweets   **63** Likes

..



Betting Bruiser  
@BettingBruiser

...

Something that was wrong about the Anson and Moez article circulating was the allegation that Moez/Anson compensates people to write reports. They just use people and don't pay anyone but themselves. [\\$ZENA](#)  
[\\$APHA](#) #PotStocks

11:08 AM · Sep 30, 2020 · Twitter for iPhone

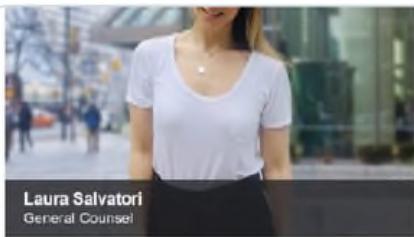
---

2 Retweets 28 Likes



**Betting Bruiser**  
@BettingBruiser

One thing that was left out of the \$ZENA and Anson Funds report was fact that Anson's funds legal counsel (Laura Salvatori) husband (Muneeb Yusuf) via Brownstone Advisors facilitated the toxic financing deal between \$ZENA & \$TLRY ... conflict of interest much? #Potstocks



Laura Salvatori  
General Counsel



Brownstone Advisors Inc. ("Brownstone") acted as strategic advisors to Zenabis in connection with the Supply Agreement. Zenabis will pay a strategic advisory fee to Brownstone, which will include (subject to receipt of all required regulatory approvals) 319,148 common shares of Zenabis.



## Corporate Direct

Brownstone Capital

2018 - Present • 2 y

Toronto, Canada Area

1:50 PM · Oct 9, 2020 · Twitter for iPhone



**Betting Bruiser** @BettingBruiser · Oct 9

Replies to @BettingBruiser

Hi Laura 🌟 ... cause I know you follow every tweet I speak about Anson ... I thought I'd give you a shoutout! \$ZENA \$TLRY #PotStocks

4



38



**Betting Bruiser** @BettingBruiser · Oct 9

If you're an Anson Fund investor ... be prepared to have your funds locked up b/c there is a lot of information floating out there that paints a picture of scams to benefit none other than Moez Kassam. \$ZENA story is just one of hundreds where it's alleged he broke the law. #PotStocks

4



32



..



**Betting Bruiser**  
@BettingBruiser

Maybe I should speak to regulators about Anson Funds  
and collect the reward in 50 years ....

Or should I just leak snippets of recorded conversations  
with Moez Kassam?

Thoughts? [#PotStocks](#)



2:17 PM · Oct 9, 2020 · Twitter for iPhone

**6** Retweets **1** Quote Tweet **83** Likes

..



**Betting Bruiser**  
@BettingBruiser

I think I'm going release some of the recordings about  
Moez Kassam ... just interested how much money  
Anson pays Ben Axler from [@sprucepointcap](#) ... you  
care to comment Ben?

"You know what's gonna happen"

14:47

"A lot of times if I'm working with Ben (Axler) or doing this kind of stuff (shorts) than **we can create our own catalysts right because we're putting out a report**"

"So I know when stuffs gonna go down and I'll buy puts"

3:19 PM · Oct 9, 2020 · Twitter for iPhone

**3** Retweets   **2** Quote Tweets   **64** Likes



**Betting Bruiser**  
@BettingBruiser

Everyone have a good long weekend expect for Anson  
Funds Moez Kassam .... he can choke on a wishbone!  
[#PotStocks](#)

4:55 PM · Oct 9, 2020 · Twitter for iPhone

**4** Retweets   **1** Quote Tweet   **105** Likes



Betting Bruiser  
@BettingBruiser

Has Anson Funds and/or MMCAP name all over it  
[\\$VIVO #PotStocks](#)



The image shows the VIVO Cannabis logo. It features the word "VIVO" in large, bold, blue letters at the top. Below it, the word "CANNABIS" is written in a smaller, blue, sans-serif font. At the bottom of the logo, there is a news snippet in a smaller blue font.

VIVO Cannabis™ Withdraws \$5 Million Offering and Provides Business Update  
TORONTO, Oct. 16, 2020 /CNW/ - VIVO Cannabis Inc.  
[ca.finance.yahoo.com](http://ca.finance.yahoo.com)

8:33 AM · Oct 16, 2020 · Twitter for iPhone

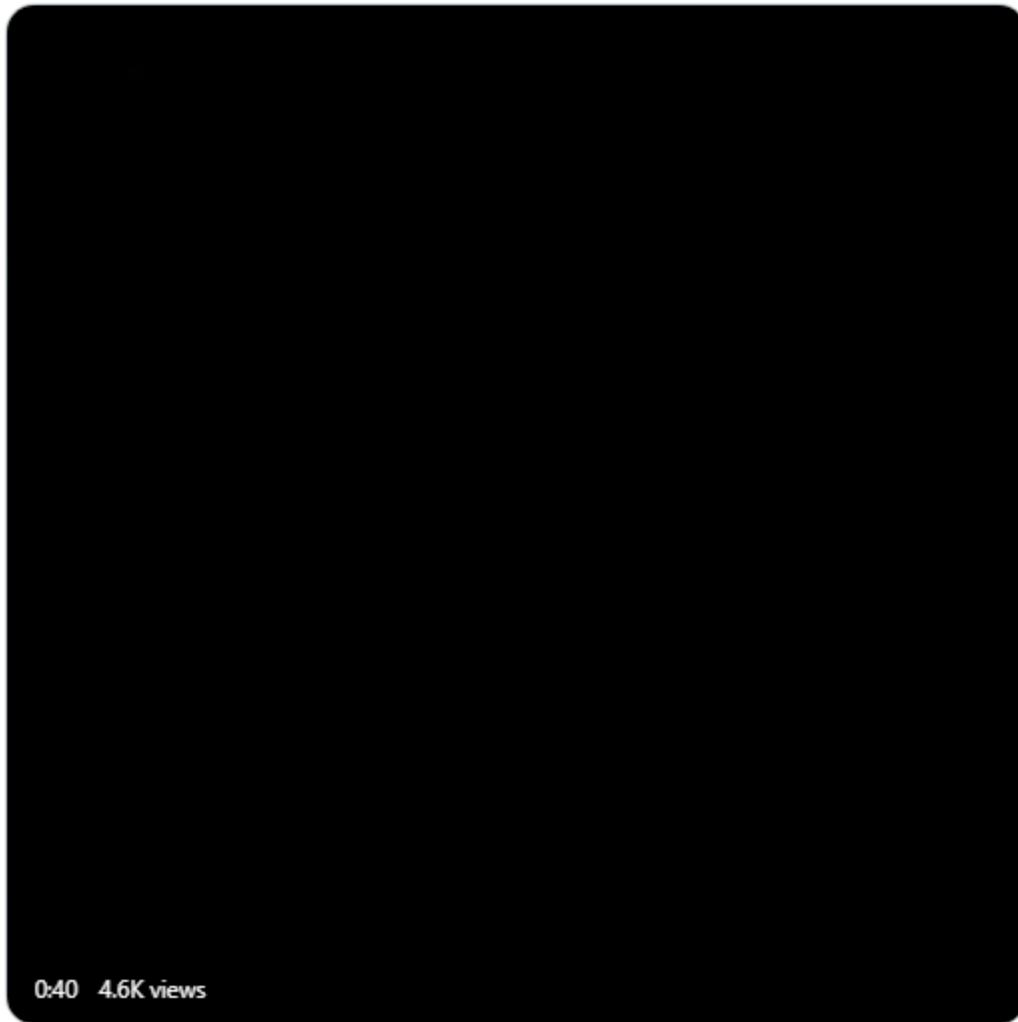
..



**Betting Bruiser**  
@BettingBruiser

...

This is Moez Kassam from Anson Funds in the flesh  
running scared from recent reports about his tactics.  
Worth a listen. This guy is scum of the earth.



0:40 4.6K views

10:50 AM · Oct 30, 2020 · Twitter for iPhone

..



Betting Bruiser  
@BettingBruiser

...

Replies to @BettingBruiser

He doesn't have anyone but the scum Sunny Puri, the Globe & Mail and other short sellers doing his dirty work for him. Including paying [@sprucepointcap](#) [@CitronResearch](#) [@FriendlyBearSA](#) and others ... why did you block me Ben Axler ... is it the fact your Moez Kassam lapdog?

**Spruce Point Capital**  
@sprucepointcap

**@sprucepointcap blocked you**

You are blocked from following  
@sprucepointcap and viewing  
@sprucepointcap's Tweets.

10:55 AM · Oct 30, 2020 · Twitter for iPhone

..



Betting Bruiser  
@BettingBruiser

...

Happy Halloween to the #PotStocks community!

Trick or Treat:

Who is going to toilet paper Moez Kassams house tonight? [\\$ZENA](#) executives should just throw stock as it's cheaper then toilet paper!



12:48 PM · Oct 31, 2020 · Twitter for iPhone

APPENDIX "B" – "John Murphy" Tweets

 **John Murphy**  
@JohnMur67039142

Facedrive | V.FD Stock Message Board & Forum |  
Stockhouse @business @davidmilstead  
@MunchingMoez @GlobeSmallBiz

  
**Stockhouse.**

The Real Story on Moez Kassam and Anson Funds – Part 1  
The Real Story on Moez Kassam and Anson Funds – Part 1  
stockhouse.com

10:37 AM · Jul 23, 2020 · Twitter for iPhone

1 Quote Tweet 2 Likes

Reply Retweet Like Share

 **John Murphy** @JohnMur67039142 · Jul 24

@AnsonGroupFunds made sure the tilray story was removed from the platform, they may have messed with the wrong group this go around!!! could get ugly for @MunchingMoez & his sidekick @IROCinfo #spooktrades #nakedshorts @BettingBruiser @davidmilstead @globeandmail

 **John Murphy** @JohnMur67039142 · Jul 23

Facedrive | V.FD Stock Message Board & Forum | Stockhouse @business @davidmilstead @MunchingMoez @GlobeSmallBiz stockhouse.com/companies/bull...

Reply Retweet Like Share

 **John Murphy** @JohnMur67039142 - Jul 24

@MunchingMoez #ansonfunds, paid for the report as they were caught offside, rumours off 900k in the single digits, called in a favor and doubled down @HindenburgRes **moez** was telling ppl it was going to 6.00, even called prop desks wanting them to short

Reply Retweet Like Share



**John Murphy**  
@JohnMur67039142

...

it seems moez and sunny from @AnsonGroupFunds  
@MunchingMoez @HindenburgRes @globeandmail  
@davidmilstead quickly blocked me by suggesting they  
were short 1mm \$FD. i think much more will come out  
on this trade. @business @BNNBloomberg

**John Murphy** @JohnMur67039142 · Jul 28

Looks like @facedrivecanada \$FD is going higher @HindenburgRes  
@AnsonGroupFunds finance.yahoo.com/news/400-tesla...

7:41 PM · Jul 30, 2020 · Twitter for iPhone



**John Murphy** @JohnMur67039142 · Aug 14

@HindenburgRes @BNNBloomberg @AnsonGroupFunds this story will be  
all over the street within months. how dirty **moez** hurt his business partner  
and lied to the founders of \$apha. @LamboJohnny @BettingBruiser

**MDeCicco** @MDeCicco\_ · Aug 14

Hey @MunchingMoez. Can you confirm/deny? The word around is that  
you were the source of the @HindenburgRes Short Attack on @aphriainc,  
to cover HUGE losses on \$TLRY

[Show this thread](#)



5



..

 **John Murphy** @JohnMur67039142 · Aug 14  
**SFD #moezkassam** paid for negative promotions on **\$FD \$apha \$tly** and many more. was this disclosed by publisher? **@AnsonGroupFunds @HindenburgRes @BNNBloomberg @BettingBruiser \$tly \$apha #shortsellers @IROCinfo**

  
**Stockhouse.** Just read this on Yahoo: short seller Moez Kassam go...  
Just read this on Yahoo: short seller Moez Kassam got BURNED  
[stockhouse.com](http://stockhouse.com)

1 1 1 1

 **John Murphy** @JohnMur67039142 · 15 Aug  
Replies to **@MDeCicco\_ @weedstreet420** and 3 others  
doubled crossed his business partners **@aphriainc** because he was unhappy what happened with **@AltriaNews** he paid for the short report and then used **@QCMFunds** as a cover.

1 2 7 1

 **John Murphy** @JohnMur67039142 · Aug 18  
deja vu **\$apha** orchestrated by **@AnsonGroupFunds** and used poor gregor **@QCMFunds** as a cover. **moez** and ben axler are tight. his interview seemed to question valuation; not a zero. **#moezgame** is getting old **@ddale8 @MDeCicco\_ @weedstreet420 @LamboJohnny @BettingBruiser @thomasg\_grizzle**

1 1 3 1

 **John Murphy** @JohnMur67039142 · Aug 18  
Replies to **@markbspiegel** and **@sprucepointcap**  
**@MunchingMoez** gets others to do the work as he sits back with his bay street buddies getting drunk laughing about his short. Ben had zero conviction during his interview much like **@QCMFunds** the regulators are onto **Moez's** act **@IROCinfo @globeandmail @QTRResearch @grizzlemmedia**

2 1 1



**John Murphy** @JohnMur67039142 · Sep 10

Replying to @QTRResearch

these reverse pump and dumps must be watched more closely by the regulators. **moez** and his band fund these trades every week @ClarityToast finds the next fraud that he is paid to profile. @BettingBruiser @ddale0 @JeffKehoeOSC \$apha \$fd \$gfl \$nka



**John Murphy** @JohnMur67039142 · Sep 11

another page out of the **Anson** dirty playbook \$fd \$dis \$gnus \$apha @BettingBruiser @weedstreet420 @smallcapsteve @davidmilstead @IROCinfo @FinancialTimes @business



Moez Kassam, Anson Funds Destroyed Genius Brand...

Moez Kassam, Anson Funds Destroyed Genius Brands Investors

stockhouse.com



**John Murphy** @JohnMur67039142 · Sep 12

**anson** is a very corrupt cad fund nake shorting many small cap co's and when they get in trouble / want to cover they pay groups like @HindenburgRes to say the co is a fraud and going to zero. how many zeros have they called. the bottom is normally around when the piece comes out



**John Murphy** @JohnMur67039142 · Sep 26

He uses people for information; andy was just another person in the way. but clearly, something larger was the issue. his report did real damage to andy and his businesses. **Moez** seems to be picking fights with the wrong people these days



..



**John Murphy**  
@JohnMur67039142

Capital Market Crimes – Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure.  
@LamboJohnny @BettingBruiser @globeandmail  
@weedstreet420 @BNNBloomberg @amberkanwar



Home

[vc\_row][vc\_column][vc\_empty\_space height="20px"]  
[/vc\_column][vc\_column offset="vc\_hidden-xs"]...  
🔗 moezkassam.com

3:47 PM · Sep 27, 2020 · Twitter for iPhone

4 Retweets 15 Likes

t2 jim Retweeted



**John Murphy** @JohnMur67039142 · 27 Sep

8 Capital's **#tradertony**, plays right into the stereotype of a **#WallStreet** trader. i think his compliance might have some questions about the recommendations that he has been putting out.... **#viiicapital**  
@MunchingMoez stockmanipulators.com/moez-kassam-an...



1

1



**John Murphy** @JohnMur67039142 · Sep 29

sounds like **#moez** attacked the site where the **@AnsonGroupFunds** report was profiled. a very expensive DDOS attack to prevent the public from seeing the piece. Investors in the fund probably have plenty of questions for **@MunchingMoez** **@davidmilstead** **\$apha** **\$fd** **\$gfl** **\$shrm** many more

3

1

1



..

**John Murphy** @JohnMur67039142 · 15m

spicy. stinks something awful !!! #handsomefunds #dirtymoez  
#moezkassam @AnsonGroupFunds @LamboJohnny @QTRResearch  
@weedstreet420 @ddale8

**John Murphy** @JohnMur67039142 · Sep 27

I wonder if this slows down his extravagant dinners that he posts every night.  
sean kallir from HGC seems to be in attendance often. **moez**'s new member,  
special shout out to **#tradertony** from 8capital. love the pics



1

**John Murphy** @JohnMur67039142 · Sep 29

big difference from shorting a fraud and paying for a short report calling a  
company a fraud to try and fix your trade. bad companies need to be taken  
down. big difference between the two. **anson** does both!



1

**John Murphy**

@JohnMur67039142

...

Home [stockmanipulators.com](http://stockmanipulators.com). Cyber crimes added to  
the list of wrongdoings by [@AnsonGroupFunds](#) ? who  
funded this defense? unit holders? [@davidmilstead](#)  
[@globeandmail](#) [@thomasg\\_grizzle](#)

7:52 AM · Sep 29, 2020 · Twitter for iPhone

**John Murphy** @JohnMur67039142 · Sep 30

chatter is \$300k-400 for that report. a deep audit of **anson**'s books might  
help.



1





John Murphy @JohnMur67039142 · Sep 30

Anson and Moez put out this response. it fails to address the allegations outlined. when they question a company they ask for a line by line response. we are waiting @MunchingMoez ansonfunds.com/wp-content/upl...  
@QTRResearch @BettingBruiser @LamboJohnny @weedstreet420  
@davidmilstead



1



6

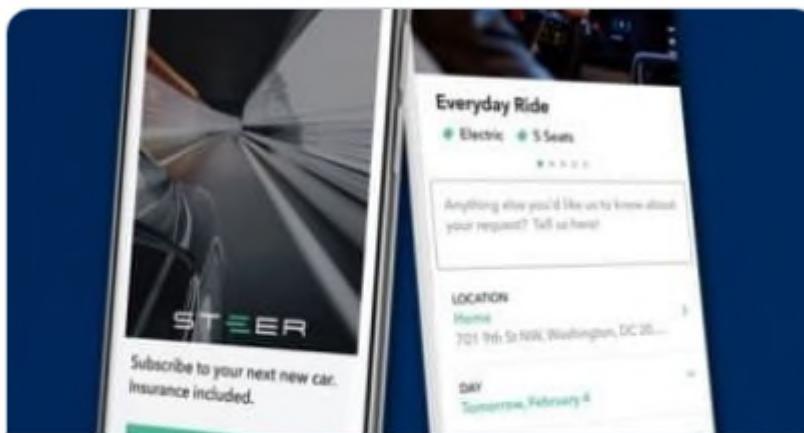


...



John Murphy @JohnMur67039142 · Oct 28

\$FD Facedrive target of an ongoing short attack by @AnsonGroupFunds how will this play out? @QTRResearch @BettingBruiser @weedstreet420  
@ddale8 @BNNBloomberg @DisruptorsBNN



Blackrock, Bezos And Musk Charging Ahead in this \$30 Trillion Mega-Tr...

In the last two years there has been a 733% increase in ESG investments while tech companies have soared, now there is one new industry play...

finance.yahoo.com



1



1



..



John Murphy  
@JohnMur67039142

Moez Kassam and Anson Funds: A Tale of Corruption,  
Greed, and Failure – Capital Market Crimes

@BettingBruiser @weedstreet420 @QTRResearch

@BNNBloomberg @JeffKehoeOSC #moez



Moez Kassam and Anson Funds: A Tale of Corruption, Greed, and Failure  
IMPORTANT UPDATE: OSC and IIROC are now aware of Anson's illegal market  
activities and are asking the public for information.

[marketcrimes.to](http://marketcrimes.to)

2:08 PM · Oct 29, 2020 · Twitter for iPhone



..



**John Murphy** @JohnMur67039142 · Oct 30

...

first this seems staged. but interesting how he discusses spending corp funds/ investor monies to defend his name and their toxic strategies.

@LamboJohnny @QTRResearch @weedstreet420 @BNNBloomberg  
@JeffKehoeOSC



**Betting Bruiser** @BettingBruiser · Oct 30

This is Moez Kassam from Anson Funds in the flesh running scared from recent reports about his tactics. Worth a listen. This guy is scum of the earth.

[Show this thread](#)

0:35 4.6K views

1

1

3

↑

ANSON ADVISORS INC., ANSON FUNDS MANAGEMENT -and-  
LP, ANSON INVESTMENTS MASTER FUND LP AND  
MOEZ KASSAM  
Plaintiffs

ROBERT LEE DOXTATOR, JACOB DOXTATOR,  
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4  
AND OTHER PERSONS UNKNOWN  
Defendants

Court File No.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**  
Proceeding commenced at Toronto

**STATEMENT OF CLAIM**

**BLAKE, CASSELS & GRAYDON LLP**

Barristers & Solicitors  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto ON M5L 1A9

**Michael Barrack** LSO #21941W

Tel: 416-863-5280  
[michael.barrack@blakes.com](mailto:michael.barrack@blakes.com)

**Iris Fischer** LSO #52762M

Tel: 416-863-2408  
[iris.fischer@blakes.com](mailto:iris.fischer@blakes.com)

**Kaley Pulfer** LSO #58413T

Tel: 416-863-2756  
[kaley.pulfer@blakes.com](mailto:kaley.pulfer@blakes.com)

**Christopher DiMatteo** LSO #68711E

Tel: 416-863-3342  
Fax: 416-863-2653  
[christopher.dimatteo@blakes.com](mailto:christopher.dimatteo@blakes.com)

Lawyers for the Plaintiffs