

July 24, 2019

**PERSONAL & CONFIDENTIAL
WITHOUT PREJUDICE**

Law Society of Ontario
Attn. Mr. Mark Cornish
Osgoode Hall, 130 Queen Street West
Toronto, ON M5H 2N6

Dear Mr. Cornish,

Re: LSO Case No: 2019-230867

As you are aware, I have been retained to represent Mr. Scott McEachern in relation to the above noted matter.

Below please find the response to the inquiries outlined in your letter dated July 4, 2019:

1. How did you obtain the email between Olga Leyenson and Darren Swartz dated January 10, 2018, sent at 9:05 am?
 - The document was not solicited and intentionally provided to Mr. McEachern by a colleague.
2. From whom did you obtain the email between Olga Leyenson and Darren Swartz dated January 10, 2018, sent at 9:05 am?
 - The document was provided to Mr. McEachern by a colleague.
3. How many copies of the email between Olga Leyenson and Darren Swartz dated January 10, 2018, sent at 9:05 am do you have?
 - Mr. McEachern may be in possession of the originating email disclosing the document and is in possession of a copy that is posted to his personal Facebook page.

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4. Where are these copies being stored?
 - One copy may be stored in his email account and the other is being stored by Facebook.
5. Who else have you disseminated the email between Olga Leyenson and Darren Swartz dated January 10, 2018, to?
 - Mr. McEachern has not disseminated the email to anyone else.
6. Have you posted the email between Olga Leyenson and Darren Swartz dated January 10, 2018 anywhere else online (publicly or not) or physically?
 - Mr. McEachern has not posted the email anywhere else online, publicly or physically.
7. Do you have any other documents, correspondence (not addressed to or sent by you), notes, or client information from Olga Leyenson, Marty Gobin, and/or Darren Swartz and their respective law firms in your possession?
 - Mr. McEachern submits that any documents, correspondence, notes or client information from Olga Leyenson, Marty Gobin, and/or Darren Swartz that he may or may not be in possession of, would be protected by litigation privilege and would pass the dominant purpose test.
8. Why did you post the email between Olga Leyenson and Darren Swartz dated January 10, 2018 sent at 9:05 am publicly on Facebook?
 - Mr. McEachern submits that he has become the victim of an intense amount of harassment by his colleagues whose intent has been to see the removal of his firm and his paralegal license.

Since he stopped practicing, Mr. McEachern has been consulting on marketing assistance to licensees through Marketing.legal which provides websites and marketing strategies to solo practitioners and small - medium sized firms.

Mr. McEachern submits that the harassment has continued through the dismantling of his legal practice and is currently aimed at his consulting client. Olga Leyenson, Darren Swartz, Marty Gobin and others are targeting Mr. McEachern's consulting client with the direct intent of ruining his reputation and impacting his ability to earn a living for his family.

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Without limiting Mr. McEachern's response, it is Mr. McEachern's position that the opposing parties to this matter are intentionally spreading misinformation amongst colleagues with the purpose of undermining his legal marketing client. While his new business venture differs from his previous Paralegal profession, his target market remains his former colleagues. Mr. McEachern feels it is imperative that he defend himself against the calculated damage to his reputation amongst legal professionals.

Thank you for your attention in this matter. Please do not hesitate to contact me should you have any questions.

Regards,



Holly Robertson
HR/mc.

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