

Schedule "D"

I, Karen Cilevitz, wish to state the following pursuant to paragraph 10 of the Minutes of Settlement:

1. I swore an information seeking a Peace Bond against Toomas Karmo because I feared for my safety. I brought a lawsuit against Toomas Karmo because I believed it was necessary to protect my character and reputation. I have settled both matters with Mr. Karmo because I believe that the Minutes of Settlement that we have entered into will adequately protect both me and my reputation to such an extent that neither court action remains necessary. In preparing my court documents I relied on my recollection of events and opinions, and I have full confidence that this settlement is in conformity with the Charter of Rights and Freedoms and the Rule of Law.
2. I am the volunteer Chair of a broad based community advocacy group, the David Dunlap Observatory Defenders (DDOD) Inc. (the "DDOD"), and all of my actions on behalf of that organization are authorized by the volunteer Board of Directors. The DDOD Board unanimously decided to participate in Ontario Municipal Board mediation regarding proposed development on the David Dunlap Observatory site and the DDOD Board unanimously decided to support the settlement, approved by all Parties to the OMB Hearing, other than the Richmond Hill Naturalists. We do not regret either of these decisions, we have, in fact, publicly acknowledged, as have others, that both decisions taken were paramount in ensuring that the mediated outcomes achieved the absolute best result possible in this complicated matter. The settlement that we support has already been approved by the OMB and the Ontario Divisional Court, and we believe that it is the best result that was possible for the DDO without federal or provincial financial support. I further want it to be known that my support in this regard in no way compromised my "conservationist" integrity. I am a firm believer and supporter of heritage and environmental conservation and stand by my and the DDOD Board's participation and actions in securing 111 acres out of a 189 acres of pristine greenspace and all identified heritage buildings on the Dunlap site. Toward this end, I have spent tens of thousands of dollars of my own money. I believe this hard-fought landmark result, approved unanimously by all parties who participated in mediation, stands as a beacon of my "conservationist" ideals.
3. Mr. Karmo, however, disagrees with us, and cites me in particular. I believe that this is why he took the various steps that led me to begin the legal matters referred to in point 1 above. What I cannot understand is why he seems to hyper-focus on me personally. It was the University of Toronto that chose to sell the site to a developer. It is the developer who has proposed the development plan. The final settlement has been approved by the Town of Richmond Hill, the Region of York, the Toronto and Region Conservation Authority and the DDOD. Why I am then personally the main subject of Mr. Karmo's online attacks?

4. That said, Mr. Karmo does attack Dr. Shelton's reputation in his "blog" in an equally disgusting and abhorrent manner to which I have vehemently objected. Unfortunately, I am not in a legal position to force a change to those vile comments.
5. It is important for me to be clear that I consider many of Mr. Karmo's comments about me that he has not agreed to amend in his "blog" to be insulting, hurtful and abhorrent. They are the result of his pinpointed focus on myself, a focus I shall never be able to truly understand, and his own self-centred opinion. However, I am not convinced that these other comments and statements meet the threshold required to continue with my lawsuit, therefore I believe I have achieved the best outcome possible in this out of court settlement to protect my integrity, my dignity, my character and my reputation.
6. It is my fervent hope that Mr. Karmo honours the Minutes of Settlement. If he does not, then I shall do what I need to do to ensure that my rights are protected and honoured, and that my character, my name and my identity are protected.