

Assault charges against former councillor before courts again next month

By Brock Weir

Aggravated assault charges laid against Magna's Steve Hinder will be back before the courts on May 15.

Hinder faced charges earlier this week and the first appearance was held in Newmarket on Tuesday morning. The case was held over until May for discovery.

The charges, which have not been proven in court, were brought about by 2014 Council candidate Anthony Pullano, who has been engaged in a long-running civil dispute with Hinder, in which Pullano alleges Hinder struck him in the chest at a political meeting just prior to the 2014 Provincial election. Hinder strongly denies the allegations.

The initial claims have been working their way through the civil courts since 2015, but jumped to the criminal courts after Pullano filed a pre-enquete motion, which brings the matter before a Justice of the Peace to determine whether charges should be laid against an individual following a private complaint.

The civil matter has been ongoing since February 2015 with a \$5 million lawsuit launched by Pullano.

In that claim, Pullano alleges that on the evening of March 20, 2014, he was confronted by Hinder at The Mansion events centre during the acclamation of Jane Twinney as Newmarket-Aurora's Ontario PC candidate in that year's election.

He claims Hinder approached him at the event, knowing he attended the nomination meeting of Liberal candidate Chris Ballard the previous evening, asking, "Who are you supporting tonight?"

"Using his right clenched fist, Hinder then struck the Plaintiff on the right side of his chest where his Implantable Cardioverter Defibrillator (ICD) was located," reads the claim. "At all relevant times, Hinder knew the Plaintiff had an ICD. At no relevant time did the Plaintiff consent to the assault. At all relevant times, Hinder inflicted the Assault in a direct and intentional manner."

As a result of the alleged assault, Pullano claims he suffered injuries and damages, going the next day to Southlake Regional Health Centre for an "emergency appointment to deal with the pain and discomfort in the area of his ICD as a result of the Assault."

An infection resulted, he goes on to claim, leading to a "deterioration" in health including "loss of heart function, loss of sexual function, a loss of right hand function, and chronic pain and inflammation in his right hand and/or right arm."

Pullano goes on to claim that the resulting issues prevented him from fully participating in the 2014 municipal election, in which he stood as a Council candidate, as well as loss of income.

He's claiming \$5 million in general damages and non-pecuniary loss, citing loss of enjoyment of life, loss of opportunity, loss of future earnings, intentional infliction of mental distress, aggravated damages and/or punitive damages.

The claims, which Hinder strenuously denies, have not been proven.

In his defence, lawyers for Hinder say he was indeed in attendance at Twinney's nomination meeting. He claims he approached Pullano, shook his hand, and asked him who he was supporting that evening.

"The plaintiff shook Hinder's hand in return," the files claim. "Mr. Hinder then ceased interacting with the plaintiff and became engaged in conversation with the three other individuals standing beside the plaintiff. The defendants plead that the only physical contact between Mr. Hinder and the plaintiff at the event was the handshake. The defendants strenuously deny that Hinder at any time struck the plaintiff, in the chest or otherwise, or that Mr. Hinder threw a clenched fist towards the plaintiff as alleged."

It goes on to deny "any negligence, assault, battery, or intentional infliction of mental distress by Mr. Hinder. The defendants specifically deny that the plaintiff suffered any injuries, damages or losses as alleged" or at all and put the plaintiff to the strict proof thereof."

The defence claims any "injuries, damages or losses alleged, which are not admitted but expressly denied" were not caused by any fault or neglect of their clients.

As such, Hinder has launched a \$1 million case against Pullano " \$500,000 for general damages for libel, and a further \$500,000 for punitive and aggravated damages " and a permanent injunction restraining Pullano for "directly or indirectly" spreading what they allege are false statements against Mr. Hinder.

The counterclaim cites upwards of 40 Tweets and other social media posts made by Pullano describing Hinder as a "racist, a "bully", a "thug", a "cheater" , claiming that he had engaged in "smear campaigns" against candidates, all of which is denied in the counterclaim.

"Mr. Hinder pleads that the statements made by Pullano were made with malice, with the intention of harming Mr. Hinder, his reputation and his professional associations," reads the claim. "Pullano has acted irresponsibly and negligently."

It is claimed Pullano "instigated a campaign" to malign Hinder's reputation and to have him removed from a number of community

boards on which he sits or with which he is affiliated.

?Pullano has attempted to intimidate the Southlake Foundation into distancing itself from any association with Hinder as a past board member, by stating that the Southlake Foundation is complicit in criminal activities so long as they associate with him,? reads the claim. ?In directing the defamatory statements to multiple news organizations, to Mr. Hinder's employer at Magna International, to the Southlake Foundation Board and CEO, to the Prime Minister, and to the Mayor of Aurora, Members of Council of Aurora, the Aurora Town Chief Administrative Officer and the Aurora Town Clerk, Pullano has conducted himself in a manner intended to spread further afield the damage to Mr. Hinder's reputation. Pullano has acted in a high-handed and oppressive manner and was motivated to so act by actual malice.?

The allegations made in Hinder's counterclaim have not been proven in court.