

**CITATION:** Linden & Associates Professional Corporation v. Google LLC

**ONTARIO SUPERIOR COURT OF JUSTICE (TORONTO REGION)**  
**CIVIL ENDORSEMENT FORM**  
*(Rule 59.02(2)(c)(i))*

**BEFORE** Judge **W.S. Chalmers, J.** Court File Number: **CV-22-00685920-0000**

**Title of Proceeding:**

**LINDEN & ASSOCIATES PROFESSIONAL CORPORATION AND JUSTIN LINDEN** Plaintiffs

v.

**GOOGLE LLC, GOOGLE CANADA CORPORATION, JOHN/JANE DOE POSTER # 1, JOHN/JANE DOE POSTER # 2, JOHN/JANE DOE POSTER # 3, JOHN/JANE DOE POSTER # 4, JOHN/JANE DOE POSTER # 5, AND JOHN/JANE DOE POSTER # 6** Defendants

**Case Management:** Yes If so, by whom:  No

**Participants and Non-Participants:** *(Rule 59.02(2)(vii))*

Party	Counsel	E-mail Address	Phone #	Participant (Y/N)
1) Plaintiffs	<i>D. Green</i>	<a href="mailto:dgreen@lindenlex.com">dgreen@lindenlex.com</a>		
2) Defendants	<i>A. Hassan</i>	<a href="mailto:ahassan@tyrllp.com">ahassan@tyrllp.com</a>		

**Date Heard:** *(Rule 59.02(2)(c)(iii)) June 2, 2023*

**Nature of Hearing (mark with an "X"):** *(Rule 59.02(2)(c)(iv))*

Motion  Appeal  Case Conference  Pre-Trial Conference  Application

**Format of Hearing (mark with an "X"):** *(Rule 59.02(2)(c)(iv))*

In Writing  Telephone  Videoconference  In Person

If in person, indicate courthouse address:

**Relief Requested:** *(Rule. 59.02(2)(c)(v))*

**Disposition made at hearing or conference (operative terms ordered):** *(Rule 59.02(2)(c)(vi))*

**Costs:** On a **N/A** indemnity basis, fixed at \$ \_\_\_\_\_ are payable by \_\_\_\_\_ to \_\_\_\_\_ [when] \_\_\_\_\_

**Brief Reasons, if any: (Rule 59.02(2)(b))**

The Plaintiff is a law firm. It brings this action in defamation arising from several reviews posted on the Linden & Associates "Business Profile" webpage that is hosted, operated and controlled by the Defendants, Google LLC and Google Canada Corporation. The Plaintiff argues that the reviews are fake. This is because the names associated with the reviews were not clients or potential clients of the Plaintiff. The posts provide that the service they received was "terrible" and unprofessional. The fake reviews seem designed to discourage people from retaining the Plaintiff firm.

The Plaintiff brings this motion for injunctive relief compelling Google to remove and not republish the fake reviews.

The circumstances of this case are virtually identical to those in *Obasidian Group Inc. v. Google LLC*, 2022 ONSC 848. In that case, Justice Morgan was asked to grant an interim injunction removing certain messages made about the plaintiff posted on Google review. He stated that he would "not hesitate" to grant the order sought: at para. 8.

I am also satisfied on the record before me that the Plaintiff is entitled to the relief sought. The posts are not from any clients, past or present of the Plaintiff firm. The posts are therefore fake. The posts are uncomplimentary to the Plaintiff and are designed to discourage people from retaining the Plaintiff firm. I conclude that the posts are defamatory.

Google was properly served with the motion material. Counsel attended on the motion today and advised that Google does not oppose the relief sought.

I have signed the draft order.

**Additional pages attached:**  Yes  No



C. HALMERS, J.

**June 2,** , 20 **23**

Date of Endorsement (Rule 59.02(2)(c)(ii))

Signature of Judge/Case Management Master (Rule 59.02(2)(c)(i))