

NOTICE OF CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER 86323
REGISTRY LOCATION SURREY

FILED

MAR 17 2020

PROVINCIAL COURT
OF BRITISH COLUMBIA
SURREY

NOTICE OF CLAIM

FROM:

Fill in the name, address and telephone number of the person(s) or business(es) making the claim.

NAME	Jessica Yaniv	CLAIMANT(S)
ADDRESS	505 - 265 8840 210 ST.	
CITY, TOWN, MUNICIPALITY	LANGLEY	
PROV.	BC	
POSTAL CODE	V1M 2Y2	
TEL. #	7782788933	

TO:

Fill in the name, address and telephone number of the person(s) or business(es) the claim is against.

NAME	Donald Francis Smith	DEFENDANT(S)
ADDRESS	207 - 1306 Granville St.	
CITY, TOWN, MUNICIPALITY	Vancouver	
PROV.	BC	
POSTAL CODE		
TEL. #		

WHAT HAPPENED?

Tell what led to the claim.

From July 2019 through December 2019, Mr. Smith harassed Jessica Yaniv who is a transgendered woman. Throughout this timeframe, Mr. Smith made various threats towards Jessica that in turn, got him arrested, then put into detention for over a month at Surrey PreTrial centre, where he faces trial for Criminal Harassment, Uttering Threats, and Breach of Undertaking in June of 2020.

In this time period, Mr. Smith harassed Jessica with excess of 100 videos that were all harassing in nature towards Jessica Yaniv referring to her as a man, along with other derogatory terms. The remarks that Mr. Smith made towards Jessica Yaniv have made her fear for her life and safety on a daily basis. Mr. Smith has threatened to inflict violence onto Jessica Yaniv, which in turn got him arrested, but even after being released on a \$10,000 surety, Mr. Smith has not obeyed his release conditions. As an example, Mr. Smith was required as per his conditions to delete all content he's created relating to Jessica Yaniv off all pages on the Internet, such as Facebook, Instagram, YouTube and BitChute. He has not done so but instead, has lied to his bail supervisor about deleting this content when asked. Jessica Yaniv has undergone much emotional damage and the videos have caused her significant financial loss due to the nature of the videos. I am in addition, in this complaint, suing Mr. Smith for this blatant disregard towards the Criminal Justice System violating his conditions repeatedly. All videos are saved, and there are screenshots of the breaches of conditions and will be produced at trial.

If you need more space to describe what happened, attach another page, mark it "Page 2 of the Notice of Claim" and check this box. A copy of the attached page must accompany each copy of the Notice of Claim

WHERE?

Tell where this happened.

CITY, TOWN, MUNICIPALITY	Langley, Surrey, and Vancouver
PROV.	BC

(Online content)

WHEN?

Tell when this happened.

July 2019 - Present

HOW MUCH?

Tell what is being claimed from the defendant(s). If the claim is made up of several parts, separate them here and show the amount for each part. Add these amounts and fill in the total claimed.

a	General Damages	\$	30,000.00
b	Aggravated Damages	\$	
c	Punitive Damages	\$	
d	Special Damages	\$	
e	Breach of conditions RE: RO 020420 - Condition #6 - Providing false information to bail evading condition - RE: Delete all SM content re JY in presence of bail super	\$	5,000.00

TOTAL

35,000.00

+ FILING FEES

waived 150.00

+ SERVICE FEES

80.00 100.00

= TOTAL CLAIMED

\$ 35,250.00

DEBT
 OTHER THAN DEBT

TIME LIMIT FOR A DEFENDANT TO REPLY

The defendant must complete and file the attached reply within 14 days from being served with this notice, unless the defendant settles this claim directly with the claimant. If the defendant does not reply, a court order may be made against the defendant without any further notice to the defendant. Then the defendant will have to pay the amount claimed plus interest and further expenses.

The Court Address for filing documents is:

14340 57 Ave, Surrey, BC V3X 1B2
PROVINCIAL COURT OF B.C.,
14340-57th AVENUE
SURREY, B.C.
V3X 1B2