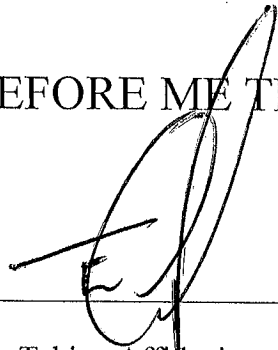


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OF THE AFFIDAVIT

OF **Denis Rancourt**

SWORN BEFORE ME THIS **August 25, 2011**



Commissioner for Taking Affidavits

25

D

Home Services Agreements Fee Schedule Availability Contact

Fee Schedule

MEDIATION/SETTLEMENT CONFERENCES

The Honourable James B. Chadwick, Q.C.

Full day: \$3,500.00 (for mediations conducted in the East Region)

Half day: \$2,200.00

Full day: \$4,000.00 (for mediations outside of the East Region)

Half day: \$2,700.00

Walter T. Langley and Brian Parnega

Full day: \$2,500.00

Half day: \$1,500.00

These fees are based upon a full day mediation/settlement conference consisting of all or part of six hours and a half day of all or part of three hours. They would include two hours of preparation for a full day conference and one and a half hour of preparation for a half day conference. The daily rate also includes up to two hours travel time, consultation and administration, and use of our facilities.

For times exceeding the above, the hourly rate charged in addition by The Honourable James B. Chadwick, Q.C. is \$450.00 per hour and by Walter T. Langley and Brian Parnega is \$300.00.

ARBITRATIONS AND PRIVATE TRIALS

Hearings within the East Region:

The Honourable James B. Chadwick, Q.C.

\$4,000.00 per day.

Walter T. Langley and Brian Parnega

\$3,000.00 per day.

Daily rate includes up to two hours of travel time.

Hearings outside the East Region, per diem fee to be negotiated.

Pre-Hearing Conferences and written Awards are charged as follows:

The Honourable James B. Chadwick, Q.C., \$450.00 per hour.

Walter T. Langley and Brian Parnega, \$300.00 per hour.

**G.S.T. is applied to all fees when required by law.*

CANCELLATION POLICY

- If cancellation is prior to 7 days before the scheduled event, then there will be no cancellation fee, only a charge for time and disbursements incurred up to that date.
- Within 7 working days we reserve the right to charge a cancellation fee of \$1,000.00 per scheduled days.
- Arbitrations, which are scheduled for more than two days, must be cancelled thirty days before the scheduled commencement, otherwise there will be a cancellation charge of 1/2 the fee for the number of scheduled days.

ACCOUNTS

For mediation and arbitration services accounts are divided equally among the counsel for the parties, unless we receive other directions.

All accounts, including reasonable disbursements, and GST, are due and payable when rendered. Overdue accounts bear interest at the rate of 6% per annum, calculated monthly until paid in full.

Effective for all matters booked after January 2, 2009.

The Honourable
James B. Chadwick, Q.C.

Walter T. Langley

Brian Parnega

D

26

Former Regional
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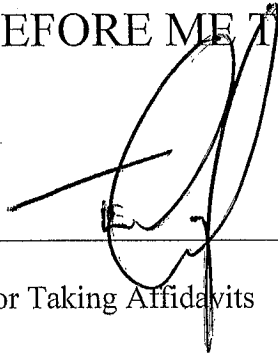
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OF THE AFFIDAVIT

OF **Denis Rancourt**

SWORN BEFORE ME THIS **August 25, 2011**



Commissioner for Taking Affidavits

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

JOANNE ST. LEWIS

Plaintiff

and

DENIS RANCOURT

Defendant

AFFIDAVIT

Claude Lamontagne
Municipality of Chateaugay, Quebec

I, **Claude Lamontagne**, of the City of OTTAWA, in the Province of Ontario, MAKE OATH AND AFFIRM AS FOLLOWS:

1. I am a tenured Associate Professor in the School of Psychology, Faculty of Social Sciences, at the University of Ottawa where I have pursued my teaching and research career since 1977, following my Ph.D. (In the Faculty of Science and Engineering at the University of Edinburgh, U.K.) conferred in 1976, my B.Psy. conferred in 1970, and a B.A. conferred in 1967.
2. I was the recipient of several prestigious university teaching awards, including the 3M National Teaching Award, in 2003, for my courses over many years in the areas of cognition and perception.
3. My general area of research and expertise is cognitive science, an area in which I have authored and co-authored two books, published several research journal articles, and presented numerous communications at national and international research conferences.
4. More specifically, my research deals with cognitive dynamics, i.e. how percepts (sights, sounds, odours etc.), concepts (i.e. ideas, thoughts, opinions etc.) and affects (i.e. emotions, moods, feelings, attitudes etc.) interact in the fabric of everyday experience and behaviour.
5. It is widely held by specialists in this area of research (1) that taboo words trigger significantly greater affective responses than neutral words, and (2) that affective response impacts rational appreciation.

6. The word "negro" is a taboo word. It therefore carries stronger emotional impetus than ordinary words in post-lexical cognitive processing; an emotional impetus likely to cause defined socio-political terms such as "house negro" to be misinterpreted.

7. I am aware of the legal conflict in the instant action to the extent that I have read the blog posts at issue on the "U of O Watch" blog and I have read the Statement of Claim.

8. From dictionary entries, racist communication, irrespective of the race of the originator, is one where the meaning and intent are to suggest or to advance or to posit that some quality, character or ability is intrinsically attributable to race – a quality, character or ability which is not *prima facie* attributable to race, and that one race is thereby inferior to another.

9. By this definition, calling a black person a "house negro" cannot be considered racist, as the term does not suggest any intrinsically racial attribute. It is a criticism and may be an insult (depending on the context) but it is not racist. It may, depending on the context, be insensitive and carry sting but it is not racist.

10. Therefore, interpreting calling a black person "house negro" as racist is best explained as an emotionally-tainted and fallacious understanding of the *global* term 'house negro', caused by the emotional potency of the *local* taboo word 'negro'.

11. Many in my area of research are of the opinion that the cognitive annoyance arising from such affectively tainted rationality is best regulated in the market place of people's reactions in our free societies.

12. In conclusion, any trier of fact faced with allegations of racist communication should (i) use the formally accepted definition of racism as the proper gauge, and (ii) be cognisant of the bias caused by the psychological impact of taboo words. I find no racism in the use of the term "house negro" in the blog communications of the Defendant.

Sworn and affirmed before me at the City of Ottawa, Ontario, on

..... 25 Aug. 2011
.....
Commissioner for Taking Affidavits
(or as may be)
Tim Garber

.....
.....
(Signature of deponent)
Claude LAMONTAGNE

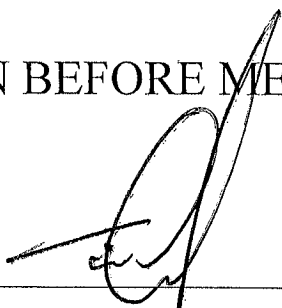
RCP-E 4D (July 1, 2007)

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Denis Rancourt <[REDACTED]>

31
F

your evaluation report of the SAC Annual Report 2008

dgr@uottawa.ca <dgr@uottawa.ca>

Sun, Dec 7, 2008 at 6:44 PM

To: joanne.stlewis@uottawa.ca

Cc: dgr@uottawa.ca

Dear Colleague,

I posted my assessment of your evaluation report here:

<http://uofowatch.blogspot.com/2008/12/rock-administration-prefers-to-confuse.html>

Please feel free to post a reply in comment.

Yours truly,
dgr

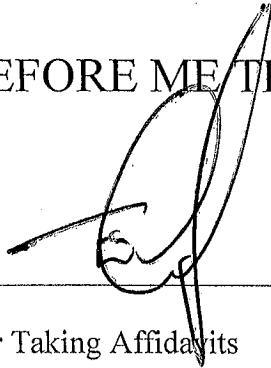
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33

G



Denis Rancourt <[redacted]>

About Joanne St. Lewis and Allan Rock

Denis Rancourt <[redacted]>

Fri, Feb 11, 2011 at 9:14 PM

To: allan.rock@uottawa.ca, president@uottawa.ca, joanne.stlewis@uottawa.ca

Dear Mr. Rock and Ms. St. Lewis,

This blog post is about you:

<http://uofowatch.blogspot.com/2011/02/did-professor-joanne-st-lewis-act-as.html>

Please provide any factual corrections or comments for posting.

Yours truly,
Denis Rancourt

G

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OF **Denis Rancourt**

SWORN BEFORE ME **THIS August 25, 2011**



Commissioner for Taking Affidavits

35
H



Denis Rancourt <[redacted]>

About Joanne St. Lewis and Allan Rock

Denis Rancourt <[redacted]>

Fri, Feb 11, 2011 at 11:26 PM

To: allan.rock@uottawa.ca, president@uottawa.ca, joanne.stlewis@uottawa.ca

Also, please inform your colleague Robert Major so he can verify the content about him.

On Fri, Feb 11, 2011 at 8:14 PM, Denis Rancourt <[redacted]> wrote:

Dear Mr. Rock and Ms. St. Lewis,

This blog post is about you:

<http://uofowatch.blogspot.com/2011/02/did-professor-joanne-st-lewis-act-as.html>

Please provide any factual corrections or comments for posting.

Yours truly,
Denis Rancourt

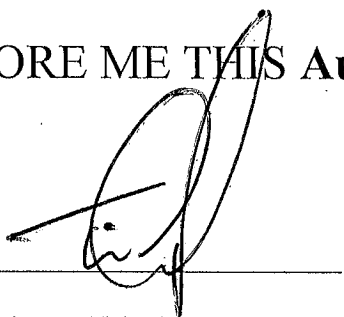
H

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OF THE AFFIDAVIT

OF Denis Rancourt

SWORN BEFORE ME THIS **August 25, 2011**



Commissioner for Taking Affidavits

<http://www.vancouversun.com/technology/Former+colleague+sues+fired+Ottawa+professor+libel/5003009/story.html>

Vancouver Sun

Former colleague sues fired Ottawa professor for libel

By Tom Spears, Postmedia News June 24, 2011 5:01 PM



Allan Rock (L), president and vice-chancellor of the University of Ottawa, with his son, Andrew Rock, during in the Alterna Do It For Dad!, run for cancer, on June 20, 2010 in Ottawa.

Photograph by: Jana Chytilova, The Ottawa Citizen

OTTAWA — A University of Ottawa law professor is suing a former physics professor from the same school for defamation, claiming \$1 million in damages.

Law professor Joanne St. Lewis says Denis Rancourt, fired from the physics department in 2009, made racist statements about her on his blog in discussing her professional relationship with university president and former federal Liberal cabinet minister Allan Rock.

St. Lewis filed a statement of claim in the Ontario Superior Court of Justice on Thursday.

Allegations contained in the statement of claim have not been proven in court.

Rancourt acknowledged Friday using the contentious term in his blog, U of O Watch. (The posting was still on the site Friday). He said in an interview that the statement was not racist, and that he will file a statement of defence within the 20-day period demanded by the court.

He said he hasn't yet consulted a lawyer. He posted the statement of claim on his blog, saying he wants the blog to be transparent.

The contention began when St. Lewis, as the director of the university's Human Rights Research and Education Centre, submitted an evaluation of a student-produced report alleging systemic racism at the University of Ottawa. St. Lewis's claims include that Rancourt's blog "likened Professor St. Lewis' evaluation to academic fraud," and that he called her work "unprofessional, intellectually dishonest and lacking in independence."

The statement of claim says Rancourt's blog accuses St. Lewis of acting as "Allan Rock's House Negro." The statement says this means she acted like a slave, and "acted in a servile manner toward Allan Rock (a white male) and the University of Ottawa."

It says the statement implies that St. Lewis "supports racism" and "lacks integrity."

St. Lewis's claim says her lawyer sent Rancourt a notice in May threatening legal action if he didn't remove the controversial posts. He responded with a further post that repeated and expanded on the original criticism, the statement says.

Her claim says that the common meaning of Rancourt's phrase in Canada is "a person who is a race traitor" and "a person who is a pariah in the Black community," as well as a person who has severed links with his or her racial and cultural heritage.

"The Defendant's conduct and actions are reprehensible, insulting, high-handed, spiteful, and outrageous," the document says. It says St. Lewis will give half of any punitive damages she is awarded to a graduate law students' fund.

Rancourt said Friday he does not feel his blog was racist.

"This is a term that is understood, well-defined. It has societal and historic meaning. It's used often by public intellectuals and critics. There are many media examples of that in the United States."

Since the court gives him 20 days to respond, he said, "I'm going to take that time and possibly consult a lawyer and at least file a response. Otherwise a ruling will be made in my absence."

He said there could be mediation between the two sides.

Rancourt was fired in 2009 after a long-running dispute that began when he taught a course in physics in society that focused on social activism rather than physics.

Ottawa Citizen

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<http://www.ottawacitizen.com/Former+colleague+sues+fired+physics+professor+libel/5002584/story.html>

Former colleague sues fired U of O physics professor for libel

By Tom Spears, The Ottawa Citizen June 24, 2011 6:23 PM

OTTAWA — A University of Ottawa law professor is suing a former physics professor from the same school for defamation, claiming \$1 million in damages.

Law professor Joanne St. Lewis says Denis Rancourt, fired from the physics department in 2009, made racist statements about her on his blog in discussing her professional relationship with university president Allan Rock.

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Allegations contained in the statement of claim have not been proven in court.

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Rancourt was fired in 2009 after a long-running dispute that began when he taught a course in physics in society that focused on social activism rather than physics.

St. Lewis is represented by Gowling Lafleur Henderson lawyers Richard Dearden and Wendy Wagner, who often act for The Citizen.

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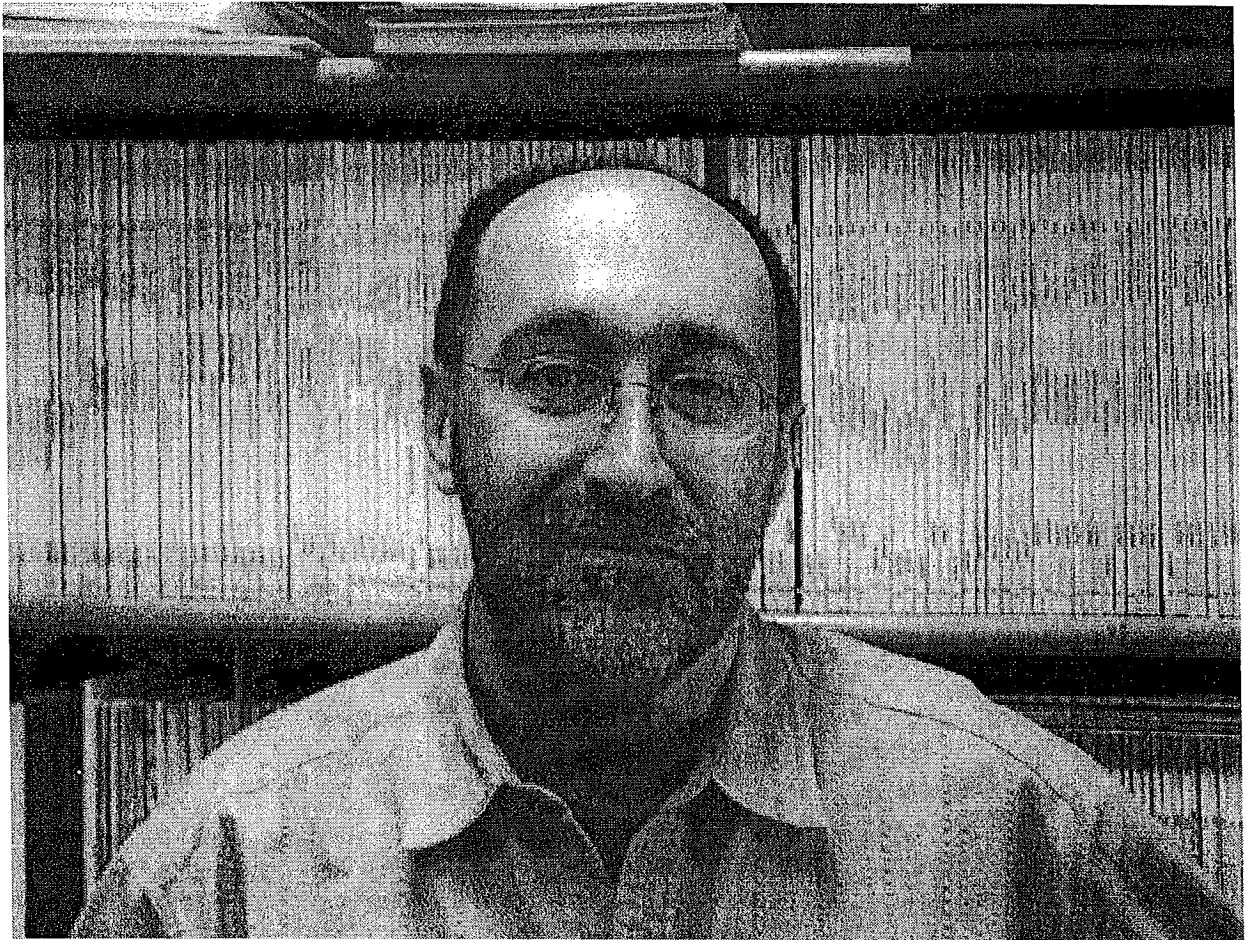
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<http://www.ottawacitizen.com/technology/physics+professor+files+statement+defence+House+Negro+defamation+lawsuit/5161366/story.html>

Former University of Ottawa professor files statement of defence in 'House Negro' defamation lawsuit

By Neco Cockburn, The Ottawa Citizen July 26, 2011



Denis Rancourt, a former physics professor at University of Ottawa. Photo: La Rotonde.

OTTAWA — A former University of Ottawa physics professor being sued for defamation by another professor from the same school argues that the lawsuit should be dismissed.

Denis Rancourt, fired from the physics department in 2009, is being sued for \$1 million in damages by law professor Joanne St. Lewis, who alleges he made racist statements about her on his blog in discussing her professional relationship with university president Allan Rock.

In a statement of defence filed Friday in the Ontario Superior Court of Justice, Rancourt denies the allegations of racism and defends his blog posts, including one that refers to St. Lewis, who is black, and uses the term “House Negro.”

Rancourt, who is providing his own defence, says in the statement that the legal action is intended to punish, intimidate and silence him, “a vocal, responsible and dedicated critic of many powerful groups, institutions and the University of Ottawa, regarding matters of public interest, and as such is frivolous, vexatious or an abuse of process.”

The dispute emerged after St. Lewis, as the director of the university’s Human Rights Research and Education Centre, in 2008 submitted an evaluation of a student-produced report that had alleged systemic racism at the university.

The statement of claim says that Rancourt’s blog, U of O Watch, in December 2008 “likened Professor St. Lewis’ evaluation to academic fraud, and criticized the evaluation as unprofessional, intellectually dishonest and lacking in independence.”

A blog post in February 2011 included St. Lewis’ photograph and asked whether she acted as “Allan Rock’s House Negro,” before referring to documents that the blog post said suggest she “acted like president Allan Rock’s House Negro.”

The words meant she acted as a slave, and “acted in a servile manner toward Allan Rock (a white male) and the University of Ottawa,” says the statement of claim, which was submitted to court in June. The words imply that St. Lewis “supports racism” and “lacks integrity,” the claim says.

The common meaning of Rancourt’s phrase in Canada is “a person who is a race traitor” and “a person who is a pariah in the Black community,” as well as someone who has severed ties with his or her racial and cultural heritage, says the statement of claim.

St. Lewis is represented by Gowling Lafleur Henderson lawyers Richard Dearden and Wendy Wagner, who often act for the Citizen. Allegations contained in the statements of claim and defence have not been proven in court.

Rancourt’s statement of defence says that the February 2011 blog post (which was still on the blog Tuesday) “defines the term ‘House Negro’ as it is used in the blog post by citing

and directly embedding the source, a video clip from a delivery of the Malcolm X speech in which Malcolm X defined the term.

“The term ‘House Negro’ (and its near-equivalents such as ‘an Uncle Tom’) is a common criticism of Black public figures, in the public discourse reported in the media, and it has an established meaning in these contexts,” the defence statement says.

It claims St. Lewis’ stated meanings of the phrase are “extrapolated and misguided,” and “inconsistent with the actual and established definition and media use in English North American society.”

Rancourt denies St. Lewis’ “implication that it is always unacceptable or improper for a white man to correctly use the term ‘House Negro’ in referring to the actions of a black woman; here in a media context of critical commentary in a matter of public interest, namely systemic racism and improper professional and institutional behaviour at a university,” the defence statement says.

Rancourt lost his job in 2009 after a long-standing dispute with the university that began when he taught a course in physics in society that focused on social activism rather than physics.

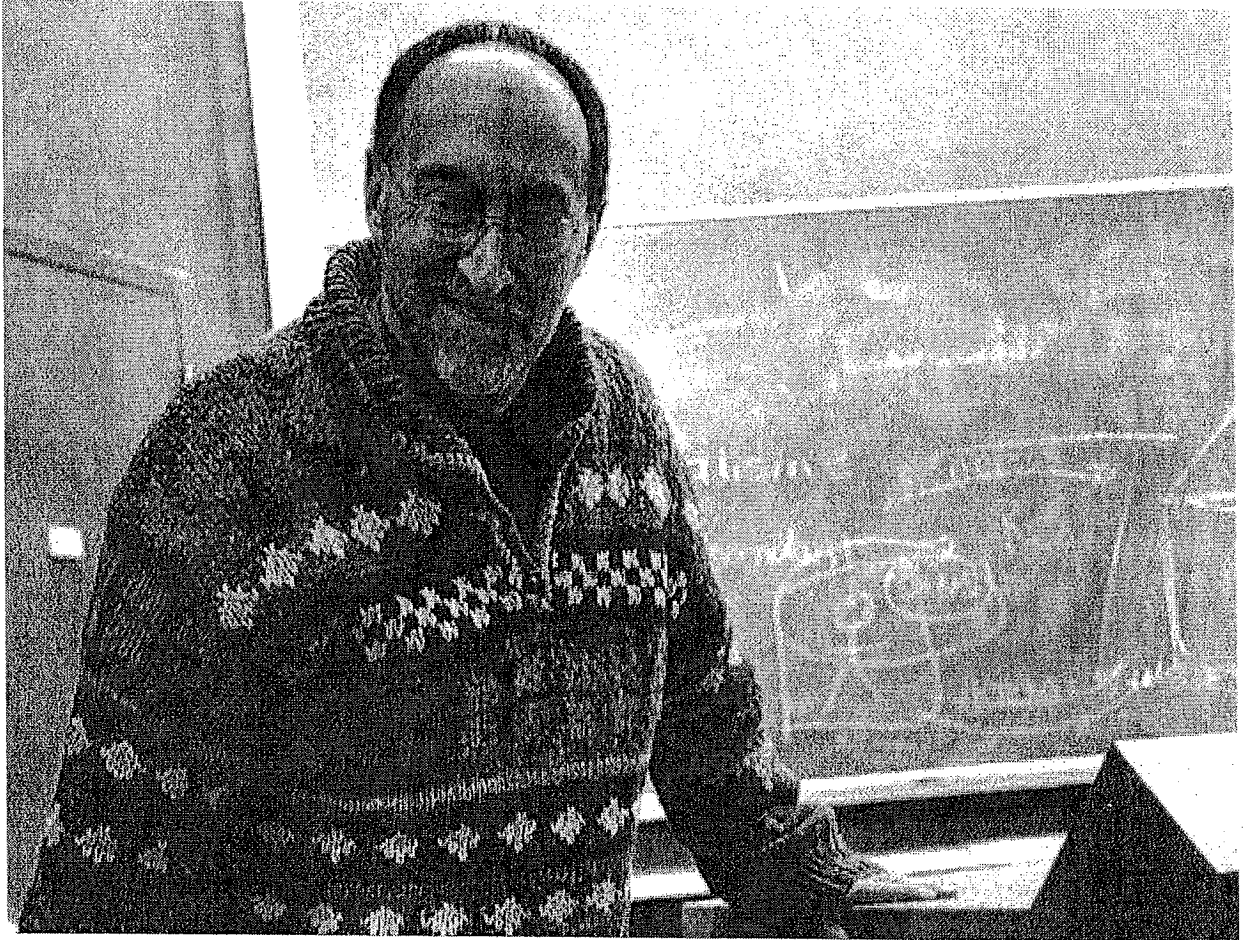
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<http://news.nationalpost.com/2011/07/27/calling-black-colleague-house-negro-not-racist-ex-professor/>

National Post

Calling black colleague 'House Negro' not racist: ex-professor



David Kawai / Postmedia News

Denis Rancourt, fired from the University of Ottawa physics department in 2009, is currently being sued for \$1-million by U of O law professor Joanne St. Lewis.

Postmedia News Jul 27, 2011 – 12:55 PM ET

By Neco Cockburn

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Ottawa Citizen

Posted in: [Canada](#), [Posted](#) Tags: [Denis Rancourt](#), [House Negro](#), [Joanne St. Lewis](#), [Racism](#), [University of Ottawa](#)