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— Mayor Rob Ford

## THE ROB FORD RULING

# MAYOR VOWS TO FIGHT BOOT FROM OFFICE

### TWO WEEKS TO LEAVE

BY NATALIE ALCOBA AND MEGAN O'TOOLE

Confusion, shock and uncertainty loom over Toronto city hall after a Superior Court judge gave Rob Ford two weeks to vacate his seat over a conflict of interest violation, prompting fighting words from the mayor as the political ground around him already began shifting.

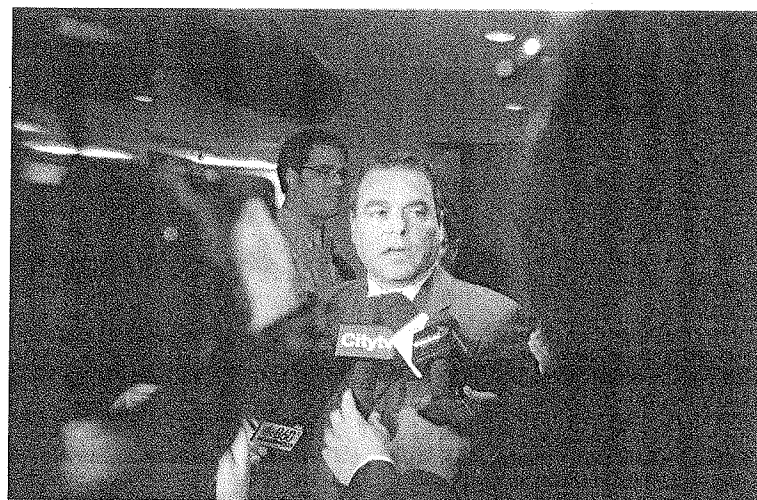
Giorgio Mammoliti, one of the chief magistrate's fiercest defenders, announced he was quitting the mayor's executive committee as a result of the ruling. Deputy Mayor Doug Holyday said he would be interested in the top job if council moved to appoint a replacement, while Denzil Minnan-Wong, another ally, vowed he would not "abandon ship" but also remained silent when asked if he would stand next to the mayor at a press conference.

And so, more legal wrangling lies ahead, as Mr. Ford confirmed he would appeal the decision. His first key hurdle will be getting a stay of the judgment, thus allowing him to remain in office pending appeal. The mayor's lawyer, Alan Lenczner, expects a hearing on the matter next week. He is hoping to move quickly by securing a date to hear the appeal by mid-December.

Stephen D'Agostino, a municipal lawyer with 15 years experience with conflict-of-interest cases, said he has "never seen the courts stay a conflict-of-interest decision."

But Mr. Lenczner plans to spell out the ramifications of refusing the request to a court. "Are we going to create a situation where if we don't grant a stay and they call a new election and there is a new mayor elected — and then the appeal is allowed, what kind of a mess are we in?"

If Mr. Ford fails to convince the court of a stay, city council



Councillor Giorgio Mammoliti resigned from the mayor's executive committee after the ruling. Mayor Ford says he will be filing for a stay of the judgment.

must move forward with finding a replacement — either through appointment or a byelection, which many councillors maintained would be the most democratic option.

"I'm a fighter and I've done a lot of great work for the city and sometimes you win, sometimes you lose," Mr. Ford told a crush of reporters outside his city hall office Monday.

The situation ultimately comes down to "left-wing politics," he contended. His brother, Doug Ford, had a grave look on his face all day, at one point barrelling through a crowd of journalists to get to his brother's side, but the mayor continued with the business of the

city, launching his annual toy drive in the city hall rotunda, where he asked children if they had been good. He also made it out to the football field for one last practice with his Don Bosco Eagles before the high school squad appears in the Metro Bowl final on Tuesday.

"The left wing wants me out of here and they'll do anything in their power to, and I'm going to fight tooth and nail to hold onto my job — and if they do for some reason get me out, I'll be running right back at them," the mayor said. "As soon as the next election is, if there's a byelection, my name is the first one on the ballot."

Mr. Ford was found to have

contravened the Municipal Conflict of Interest Act when he spoke and voted on a matter in which he had pecuniary interest at a city council meeting in February. The case centred on Mr. Ford's failure to reimburse \$3,150 in donations to his private football foundation, after the city's integrity commissioner ruled the mayor improperly solicited funds from registered lobbyists and a company that had dealings with the city.

"Accordingly, I declare the seat of the respondent Robert Ford on Toronto City Council, vacant," wrote Justice Charles Hackland. He declined to impose any further disqualifica-

tion from holding office "beyond the current term." Judge Hackland found the mayor's actions amounted to "willful blindness." And while he concluded that Mr. Ford's actions were "far from the most serious breach" of the Act — noting that "there was absolutely no issue of corruption or pecuniary gain" — he wrote he has no choice but to remove him from office because he does not believe the violations to have been inadvertent or an error in judgment.

"In view of the respondent's leadership role in ensuring integrity in municipal government, it is difficult to accept an error-in-judgment defence based essentially on a stubborn sense of entitlement (concerning his football foundation) and a dismissive and confrontational attitude to the Integrity Commissioner and the Code of Conduct," the judge wrote in his 24-page judgment.

He also called the Municipal Conflict of Interest Act "a very blunt instrument" that has attracted justified criticism.

Clayton Ruby, the litigator who launched the lawsuit on behalf of Toronto resident Paul Magder, said he was pleased with the ruling, noting it's about preserving the "integrity of municipal government."

"It's important for the court to assert nobody is above the law, Rob Ford included," said Mr. Ruby at a press conference at city hall. "Rob Ford did this to Rob Ford. It could so easily have been avoided."

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