

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

CONSEIL DE DISCIPLINE
BARREAU DU QUEBEC

FILE NO.: 06-24-03511

Jacqueline Sanderson,

Plaintiff;

vs.

Me Sophie Gratton,

Defendant;

AMENDED PRIVATE COMPLAINT AGAINST ME SOPHIE GRATTON

I, the undersigned, Jacqueline Sanderson, residing at 200 Alexandre-De Prouville Street, in the City of Carignan, Province of Quebec solemnly declare the following:

Me Sophie Gratton inscribed as a lawyer at the Quebec Bar, District of Montreal, committed various acts derogatory to the honour and dignity of the profession of a lawyer including the following:

1. On or about May 24th, 2024, Me Sophie Gratton induced in error the Honourable Justice Emery of the Superior Court, District of Montreal, during a hearing in file number 500-17-129627-249, by falsely stating that the Plaintiff would only have to file an appeal to the Professions Tribunal to suspend execution of the sanction from the Disciplinary Council in file number 06-23-03434 when she knew or should have known that her client, Me Sébastien Dyotte, was intending to request the grossly exaggerated sentence of permanent disbarment or the provisional execution notwithstanding appeal of any temporary sentence for the Plaintiff and this all just 4 days before the hearing date for the sentence contrary to sections 111, 112, 116 and 132 of the *Code of Professional Conduct for Lawyers* (the "**Code**");
- 1.1 On or about May 24, 2024, Me Sophie Gratton also surprised the good faith of the adverse party, being the Plaintiff, who was not represented by an attorney by stating that the disciplinary sentence would be suspended and also surprised the good faith of Me Sarto Landry who was representing Ms. Sanderson before the Disciplinary Council for the sentence hearing scheduled for May 28th, 2024 contrary to section 119 of the Code;
- 1.2 On or about May 24, 2024, at the same hearing before Justice Emery, Me Sophie Gratton induced the Court in error by stating that a lawyer who writes to a client an email is not subject to professional secrecy if she is not the lawyer of record in the court file which is evidently false and Me Gratton knew or should have known that correspondence between a lawyer and her client is subject to professional secrecy

at all times even if the lawyer is not the lawyer of record in the file contrary to sections 21, 111, 112, 116 and 132 of the Code;

- 1.3 On or about May 24, 2024, before the Honourable Justice Emery, Me Gratton made a false statement and attempted to induce the Court in error by stating that it is not an excess of jurisdiction to breach the rules of natural justice contrary to section 21 and 116 of the Code;
2. On or about August 29th, 2024, Me Sophie Gratton falsely indicated at paragraph 9 of the motion entitled "*Demande Sui Generis Pour Permettre la Prise de Possession de Dossiers d'une Avocate Radiee du Tableau de l'Ordre des Avocats*" that the judgment of the Disciplinary Council on sanction in file 06-23-03434 had actually ordered execution provisoire "et ce nonobstant appel" when in fact the judgment in question does not state "*nonobstant appel*" contrary to sections 19 and 132 of the Code;
3. On or about August 29th, 2024, Me Sophie Gratton falsely indicated at paragraph 12 of the motion entitled "*Demande Sui Generis Pour Permettre la Prise de Possession de Dossiers d'une Avocate Radiee du Tableau de l'Ordre des Avocats*" that the Plaintiff, Sanderson, was required to request the suspension of the judgment of the Disciplinary Council in file 06-23-03434 in the notice of appeal when in fact the said judgment of the Disciplinary Council on sanction did not actually order "nonobstant appel" contrary to sections 19 and 132 of the Code;
4. On or about December 12, 2024, during a hearing before the Court of Appeal Me Gratton made false statements to the Court that she knew or ought to have known were false in order to justify the illegal search by the Quebec Bar of the personal residence of the Plaintiff including but not limited to stating that the Plaintiff was no longer subject to solicitor client privilege after she was suspended from the Quebec Bar contrary to sections 19, 21 and 132 of the Code;
5. On or about December 12, 2024, during a hearing before the Court of Appeal Me Gratton gave false impressions to the Honourable Justice Geneviève Marcotte that her client Me Dyotte was willing to return the income tax files of the Plaintiff that were illegally seized at the request of Me Gratton but later her client refused to return same contrary to 19, 111, 112, 116 and 132 of the Code;

Hence Me Sophie Gratton has made herself open for a punishment in virtue of section 156 of the *Professions Code*.

AND THE PLAINTIFF IS DEMANDING THAT JUSTICE BE DONE.

Carignan, July 6, 2025

Jacqueline Sanderson

Jacqueline Sanderson

SWORN DECLARATION

I, the undersigned, **JACQUELINE SANDERSON**, residing at 200 Alexandre-De Prouville Street, City of Carignan, Province of Québec, J3L 6X2, declare that:

1. I am the Plaintiff;
2. In regards to the aforementioned complaint, I called the information line of the Quebec Bar, being Info-Deonto, on or about May 29th, 2024, to enquire into the conduct of Me Gratton and Me Dyotte with respect to pleadings by Me Gratton before the Superior Court on May 24th, 2024 and the lawyer who answered the phone stated that this conduct could be said to have "surprendre la bonne foi" of Jacqueline Sanderson. However, when the said telephone respondent for the Quebec Bar realized that she was speaking on the phone with Jacqueline Sanderson, she quickly stated that she could not speak to me and abruptly hung up on me;
3. I am requesting permission to amend the present private complaint because certain new facts have arisen since the initial complaint that I filed on October 8, 2024;
4. The first time I was in Superior Court with Me Gratton was before Justice Emery on May 24, 2024. This hearing was 4 days before the sentencing hearing before the Disciplinary Council in my discipline file number 06-23-03434;
5. I had filed a motion to suspend execution of the proceedings before the Disciplinary Council because based on the comments made by the Council and the fact that they completely ignored my defense and breached certain other rules of natural justice as explained in (Exhibit P-4 (iv)), the motion for judicial review;
6. I also explained in the motion to suspend execution (Exhibit P-4 (v)) that an email that was intended for one of my clients and was sent to the wrong parties was subject to solicitor-client privilege;
7. Me Gratton induced the Court in error by pretending this email was not subject to solicitor client privilege because I did not represent the client when the email was sent to my client on January 12, 2022. This is incorrect at law because even if I was not representing my client before the court in litigation, my emails to a client are still subject to solicitor client privilege (see page 16 Exhibit P-4 (ii));
8. In the written pleadings of Me Gratton and during the hearing before Justice Emery, Me Gratton pleaded that the sentence of the Council would be suspended on appeal (see paragraph 15 Exhibit P-4 (iii) at page 3) and Exhibit P-4 (ii) at page 10 and line 6-7 at page 15;
9. Contrary to the false assertions by the lawyer of Me Gratton in the motion to

dismiss, the comments were not at all hypothetical (see page 10 of Exhibit P-4(ii)):

Après, une fois la décision sur sanction rendue, **Me Sanderson, elle a un droit d'appel**, et le droit d'appel devant le Tribunal des professions **suspend automatiquement l'exécution du jugement**. Donc, **elle** ne sera pas radiée si elle loge son appel, tel que prévu, dans le tribunal spécialisé. Ben, son droit d'exercer ne sera pas suspendu avant que l'appel soit entendu.

10. These comments do not appear to hypothetical to me. It is flabbergasting that the lawyer for Me Gratton could indicate that in the motion to dismiss considering that this is a disciplinary file for lawyers~!

11. This was also not true because her client sent jurisprudence to the contrary at 4:31 P.M. on May 24, 2024, just a few minutes after the hearing before Justice Emery (Exhibit P-8);

12. It should be noted that Me Gratton told the Honourable Justice Marcotte of the Court of Appeal that she did not have time to speak to her client before she pleaded this misrepresentation to Justice Emery. However, not speaking to your client is not excuse to make misrepresentations to a Judge or to surprise the good faith (*surprendre la bonne fois*) of the adverse party (pages 20-21 of Exhibit P-9 (ii) in which Justice Marcotte flat out confronts Me Gratton referring to the stenographic notes before Justice Emery);

13. Moreover, on May 24, 2024, Me Gratton was waiting in court all day therefore it is not true that she did not have time to speak to her client. Imagine if all lawyers stated "oh sorry I lied to the judge because I forgot to check with my client especially if you were sitting in court all day". Moreover, Me Gratton was always in Court with another lawyer, therefore, there is no excuse that the two of them did not have time to speak to their client, which incidentally is an agent of the Quebec Bar, being Me Sebastien Dyotte;

14. At page 21 of the stenographic notes of December 12, 2024, before Justice Marcotte (Exhibit P-9 (ii)), Me Gratton states that she was before Justice Emery in the **morning** (matin) but this also is not true because the hearing before Justice Emery was from 2:43 P.M. to 4:02 P.M. (see Exhibit P-4 (i) being the PV of the hearing of May 24, 2024);

15. Me Gratton pleaded to Justice Marcotte that she was only speaking generally about the law and that she even mentioned that Sanderson can ask for a "*surcis*", however, this is totally false because Me Gratton never mentioned a "*surcis*" before Justice Emery. The stenographic notes before Justice Emery do not even contain the word "*surcis*" (Exhibit P-4 (ii)). These representations to the Court of Appeal are a direct contradiction to the statements made to Justice Emery described at paragraphs 8 and 9 above, such that Me Gratton specifically referred to Sanderson before Justice Emery and was not talking in general terms. The terms used before Justice Emery were not in any manner hypothetical;

16. It is important to note that Justice Emery mentioned that the sentence would be suspended during the appeal on two (2) separate occasions (Exhibit P-4 (i)). Consequently, the misrepresentations made by Me Gratton clearly had an impact on the judgment of the Superior Court;

17. During the hearing before Justice Emery, Me Gratton also falsely stated to the Judge that judicial review was not open to review a judgment of the Council because a breach of the rules of natural justice is not an excess of jurisdiction (pages 7 and 8 of Exhibit P-4 (ii)). This too is false because a breach of the rules of natural justice is considered at administrative law as an excess of jurisdiction. It is important that lawyers should not make misrepresentations to the Court even with respect to the law especially if the lawyers are representing the Quebec Bar in a disciplinary matter;

18. The next important aspect of the misrepresentations made by Me Gratton is with respect to the conclusions (the orders) of the Council in the sentence of the Plaintiff. To comprehend the orders it is important to reproduce the exact orders below:

POUR TOUS CES MOTIFS, LE CONSEIL, UNANIMEMENT :

SOUS LE CHEF 1

[209] IMPOSE une période de radiation de six mois.

SOUS LE CHEF 2

[210] IMPOSE une période de radiation de six mois.

SOUS LE CHEF 3

[211] IMPOSE une période de radiation de douze mois, à être purgée de manière consécutive au chef 1.

SOUS LE CHEF 4

[212] IMPOSE une période de radiation de quatre mois.

SOUS LE CHEF 5

[213] IMPOSE une période de radiation de quatre mois, à être purgée de manière consécutive aux chefs 1 et 3.

SOUS LE CHEF 6

[214] IMPOSE une amende de 2 500 \$.

[215] ORDONNE au secrétaire du Conseil de discipline du Barreau du Québec de publier, aux frais de l'intimée, un avis de la présente décision dans un journal circulant dans le lieu où l'intimée a son domicile professionnel.

[216] CONDAMNE l'intimée au paiement des déboursés conformément à l'article 151 du Code des professions.

[217] ORDONNE l'exécution provisoire de la présente décision dès sa signification à l'intimée.

19. The orders are very precise and the orders do not use the words "*non obstant appel*" yet paragraph 9 of the motion of Me Gratton filed as Exhibit P-1 provides as follows:

Le Conseil de discipline **ordonne** l'exécution provisoire de la décision dès sa signification à la Demanderesse, et **ce** nonobstant appel, tel qu'il appert des paragr. 16, 208 et 217 de la Décision sur sanction pièce P-2; [Emphasis added by the undersigned]

20. The Council may have meant to indicate "*nonobstant appel*" but they did not. This may have been a clerical error as indicated by the Court of Appeal in the judgment dated December 13, 2024 (Exhibit P-9 (i)) at paragraph 9 which provides as follows:

[9] Therefore, although paragraph 127 of the conclusions does not include the expression "*notwithstanding appeal*" in ordering the provisional execution of the decision from the date it is served, this was undeniably a clerical error which the applicant could not have overlooked.

21. With respect, it is not for Sanderson to request the correction of the clerical error in the judgment, it was either Me Gratton or Me Dyotte who should have requested the correction of the clerical error since it was such a gigantic error;

22. The Quebec Bar believes that they are above the law, nevertheless, the rules of procedure contained in both the *Professional Code* (Section 161.1) and the *Code of Civil Procedure* (Section 204);

23. Me Dyotte and Me Gratton cannot play the game that Me Gratton did not represent Me Dyotte in first instance as she did before the Court of Appeal (Page 20, lines 15-16 of Exhibit P-9 (ii));

24. Based on the foregoing, Me Gratton should have filed a motion to correct the said alleged clerical error especially since a suspension being executed during the appeal for such an exaggerated sentence for the Plaintiff has only been granted one time in the past by the disciplinary council of the Quebec Bar;

25. Similarly, because the sentence of Sanderson did not provide "notwithstanding appeal", the Plaintiff had no legal obligation to a motion to suspend execution contrary to the affirmations made by Me Gratton to Justice Roberge and Justice Marcotte of the Court of Appeal. Since Sanderson filed the notice of appeal (Exhibit P-3) on the day that she was suspended, this was sufficient to suspend the sentence because of the alleged clerical error;

26. It is true that Justice Roberge ignored all these facts, however, based on the stenographic notes of the Court of Appeal, Justice Marcotte did not appear to believe that all these acts by the Quebec Bar were of no consequence;

27. Me Gratton has now filed a motion claiming that the motions in the aforementioned file were abusive and her legal costs should be covered by the Plaintiff. It should be remembered that Me Gratton filed an injunction against the Plaintiff in the file before the Superior Court. If Me Gratton had opened a new file as opposed to using the Plaintiff's existing file, then the appeal of an injunction is automatically appealable as opposed to an interlocutory injunction. Therefore, the Plaintiff would have been able to appeal the injunction **as of right** as opposed to filing a motion for permission to appeal, therefore, it is quite extraordinary that she is asking for her costs in the file;

28. It should be noted that Me Leila Kadry agreed to take all the files of the Plaintiff as confirmed by the email file as Exhibit P-5 of the Plaintiff. Consequently, Me Gratton should not have withheld this information from Justice Roberge especially since she sent her motion (Exhibit P-1) to the Plaintiff at 9:00 A.M. in the morning when the hearing was scheduled for 10:00 A.M.;

29. On December 12, 2024, the Court of Appeal asked Me Gratton what was the urgency to collect the files of the Plaintiff and Me Gratton first stated that it was to protect the public and because Me Kadri did not do criminal files. Me Kadri had agreed to dispatch the other files as confirmed in her email;

30. Furthermore, on August 29, 2024 in the evening Me Daniel Brooks agreed to take all the files but he also refused the legal aid files and the income tax files. Therefore, the story provided by Me Gratton does not make sense. The Quebec Bar simply wanted to intimidate the Plaintiff and abuse their power and most likely wanted access to all of

Sanderson's confidential files;

31. Me Gratton assisted the Quebec Bar in this illegal action based on a precedent judgment that was not even relevant (*Gauthier v. Guimont*);

32. As noted by the Disciplinary Council in Sanderson's sentence at paragraph 207 of Exhibit P-2, the lawyer cannot simply blame her client and she is supposed to know the limits of the profession;

33. Me Gratton also made misrepresentations with regards to the income tax files of the Plaintiff before Justice Marcotte. She claimed in the following remarks that the Quebec Bar did not intend to take her income tax files (page 15, line 22 to page 16 line 6 of the Exhibit P-9 (ii):

Si un dossier fiscal est juridique aussi, ben, il va être pris parce qu'elle ne peut plus agir comme avocate. Donc c'était une question de savoir... je pense que le dialogue était ouvert. S'il y a un dossier qui n'est pas fiscal, qui est simplement fiscal, **il n'avait jamais été question que le syndic en prenne possession**. Si madame Sanderson veut récupérer, elle peut toujours appeler le syndic. Et d'ailleurs, récemment, elle a demandé des documents le syndic lui a transmis diligemment.

34. This is totally false as the Quebec Bar still has not returned to this day the income tax files of the Plaintiff. Moreover, a close reading of the motion of Sanderson filed as Exhibit P-6 clearly states that Sanderson had already returned all the non-tax files the Quebec Bar on August 26, 2024, the only issue was the income tax files and whether Sanderson could keep a copy of the electronic files;

35. Presumably, Me Gratton will simply blame this on her client again, however, as noted by the Council in Exhibit P-2, a lawyer cannot simply blame everything on her client when she is an officer of the court;

36. It is noteworthy that Me Gratton pleaded on several occasions before Justice Marcotte that the arguments made by the Plaintiff related to the "execution" of the warrant BY HER CLIENT including in relation to the income tax files. This means that she knew that the conduct of her client was unacceptable but she condoned it anyway (see page 14, line 8 of Exhibit P-9 (ii) for example);

37. Me Gratton also stated to Justice Marcotte that Sanderson was no longer subject to solicitor client privilege and this is the reason that Sanderson cannot keep a copy of her electronic files. This too is false and suggests that either Me Gratton has a competency because she does not know the law or she was inducing the Court of Appeal in error (page 9, line 6 of Exhibit P-9 (ii));

38. The Plaintiff is bound by professional secrecy for all her previous files at the time when she was a lawyer and this secrecy continues even though she is not a lawyer anymore. Any other interpretation would make the solicitor client privilege meaningless as the moment a lawyer moved or retired, the knowledge would become public;

39. Me Gratton abused her position as a lawyer for the Quebec Bar knowing full well that the Superior Court would believe everything that she said;

40. Considering all the misrepresentations made by Me Gratton throughout these files, she must be quite confident that the Quebec Bar will simply dismiss the present complaint;

41. The Plaintiff submits that due to this obvious conflict of interest with the Quebec Bar, an independent president should be appointed to hear the present complaint who is not chosen based on the recommendations of the Quebec Bar;

42. I confirm that all the facts mentioned in the present document are true.

AND I HAVE SIGNED AT CARIGNAN

Jacqueline Sanderson

JACQUELINE SANDERSON

Declared solemnly before me at the City of Montreal by Facetime
on this day 7th day of July, 2025



[Signature]

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

CONSEIL DE DISCIPLINE
BARREAU DU QUEBEC

FILE NO.: 06-24-03511

Jacqueline Sanderson,

Plaintiff;

vs.

Me Sophie Gratton,

Defendant;

AMENDED LIST OF EXHIBITS OF THE PLAINTIFF

Exhibit P-1

Motion entitled "*Demande Sui Generis Pour Permettre la Prise de Possession de Dossiers d'une Avocate Radiee du Tableau de l'Ordre des Avocats*", dated August 29th, 2024;

Exhibit P-2

Judgment on sentence of the Disciplinary Council of the Quebec Bar, dated July 19, 2024 in file number 06-23-03434

Exhibit P-3

Notice of appeal of the Plaintiff to judgments on conviction and sentence of the Disciplinary Council of the Quebec Bar, dated August 20th, 2024

Exhibit P-4

- (i) Judgment of the Honourable Justice Emery of the Superior Court, dated May 24th, 2024
- (ii) Stenographic notes of the pleadings of Me Gratton before Justice Emery
- (iii) Written pleadings of Me Gratton before Justice Emery
- (iv) Motion for judicial review of Sanderson dated April 18, 2024
- (v) Motion to suspend executions before the Disciplinary Council

Exhibit P-5

Email from Me Kadri to Me Dyotte, dated August 28, 2024 in which she agrees to take all the files of Sanderson

Exhibit P-6

Motion of Jacqueline Sanderson to transfer files to Me Leila Kadri

Exhibit P-7

Judgment for search warrant of Justice Roberge, dated August 29, 2024

Exhibit P-8

Plan d'argumentation of Me Dyotte, initially dated March 8, 2024 and sent at 4:31 on May 24, 2024 just minutes after the judgment of Justice Emery (Exhibit P-4)

Exhibit P-9

- (i) Judgment of Honourable Justice Geneviève Marcotte of the Court of Appeal dated December 13, 2024 and minutes of the hearing of December 12, 2024
- (ii) Stenographic notes of the hearing of December 12, 2024 (Me Gratton – Justice Marcotte asked the urgency and Me Gratton answered professional secrecy)