

ONTARIO
SUPERIOR COURT OF JUSTICE
(East Region)

B E T W E E N:

STEVEN REYNEN

Applicant
(Appellant)

- and –

DR. TABITHA ROGERS

Respondent
(Respondent in Appeal)

- and –

DR. PHIL KLASSEN

Respondent
(Respondent in Appeal)

- and –

CARA VACCARINO

Respondent
(Respondent in Appeal)

IN THE MATTER OF an application pursuant to section 39(6) of the Mental Health Act,
R.S.O. 1990, c. M.7

AND IN THE MATTER OF Steven Reynen, a patient at The Royal (also known as Royal
Ottawa Mental Health Centre), 1145 Carling Avenue, Ottawa, Ontario, K1Z 7K4.

NOTICE OF APPEAL

THE APPELLANT APPEALS to a judge from the decision of the Consent and Capacity Board
(the “Board”) comprised of Shashi Raina (senior lawyer - presiding member), dated October 31,
2025 made at Ottawa, Ontario.

The Board declined to make an Order pursuant to section 41.1 of the Mental Health Act
permitted under section 41(2) requesting:

- Transfer of the patient to Ontario Shores Centre for Mental Health Sciences psychiatric facility, if the patient does not object.
- Direct the officer in charge of the psychiatric facility to provide the patient with a different security level of different privileges within or outside the psychiatric facility.
- Direct the officer in charge of the psychiatric facility to provide the patient with vocational, interpersonal or rehabilitative services.

THE APPEAL WILL BE HEARD:

In person, on a date to be fixed by the Registrar at the Ottawa Courthouse, 161 Elgin Street, 2nd Floor, Ottawa.

THE APPELLANT REQUESTS:

1. An extension of time from the time periods set out in the *Health Care Consent Act, 1996*, S.O. 1996, c. 2, Schedule A, as amended, for filing this notice of appeal, if required;
2. An extension of time from the time periods set out in the *Health Care Consent Act, 1996*, S.O. 1996, c.2, Schedule A, as amended, for filing a supplementary notice of appeal, if required;
3. An extension of time from the time periods set out in the *Health Care Consent Act, 1996*, S.O. 1996, c.2, Schedule A, as amended, for filing the appellant's factum;
4. That the Board's Decision of October 31, 2025, be overturned;
5. The appellant's costs of this appeal; and
6. Such further and other relief as the appellant may advise and this Honourable Court may permit.

THE GROUNDS FOR THE APPEAL are as follows:

1. The Board's decision was received by the appellant on October 31, 2025;
2. The appellant will self represent;
3. Allowing an extension of the time for filing the appeal, if necessary, results in no prejudice to the respondent;
4. Allowing an extension of the time for perfection and hearing of the appeal results in no prejudice to the respondent;
5. The Board erred in fact and in law in declining to make an Order pursuant to section 41.1 of the Mental Health Act permitted under section 41(2);
6. The Court erred by misapprehending evidence, considering irrelevant facts, and failing to consider relevant facts;
7. Subsection 80 of the *Health Care Consent Act*, 1996;
8. Sections 134 and 135 of the *Courts of Justice Act*, RSO 1990, c. C43, as amended;
9. Rule 3.02 of the Rules of Civil Procedure, RRO 1990, Reg 194; and
10. Such further and other grounds as the appellant may advise and this Honourable Court may permit

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November 1, 2025

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Court file no.: 25-4717-02

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And

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ONTARIO

SUPERIOR COURT OF JUSTICE

(East Region)

Proceeding commenced at Ottawa

NOTICE OF APPEAL

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