

[Back to previous page](#)



document 1 of 1

Short-lived victory in protest case

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Abstract (summary)

While he couldn't offer specifics, [Julian Renaud] said the content of the public statement "really just confirms what I've been saying for the last year and a half about the issue. They have to tell the truth about what they did."

For Renaud, it's a frustrating turn in a case he has consistently said is more about principle than personal gain. While it's unclear if the lesson took at city hall, Renaud said he hopes it won't be lost on citizens.

"This was about the rule of law and democracy," he said. "If we're going to live in a democracy then what [Brad Woodside] and the city engineer did is just not acceptable, so somebody had to do something about it."

Full Text

FREDERICTON - Julian Renaud says the settlement reached between members of Occupy Fredericton and city hall contains terms favourable to the protesters - but they can't hang their hats on the matter yet.

Renaud was in Fredericton on Monday to finalize an out-of-court settlement stemming from a lawsuit he and two other citizens filed against the City of Fredericton, Mayor Brad Woodside, and chief engineer Murray Jaymer on April 24, 2012.

The lawsuit claimed the mayor and chief engineer violated civil liberties when they ordered city workers to dismantle the Occupy encampment at Phoenix Square on Jan. 3, 2012.

The plaintiffs said city officials used bylaw provisions that didn't exist to tear the shelter down, meanwhile destroying personal property and putting its inhabitants at risk.

The case was slated for a three-day trial in early December, but an out-of-court settlement was struck last month.

The terms of the settlement - which include financial compensation to the plaintiffs and an official public statement from the city - are not being released until Jan. 6, as per the terms of the agreement.

While he couldn't offer specifics, Renaud said the content of the public statement "really just confirms what I've been saying for the last year and a half about the issue. They have to tell the truth about what they did."

Despite calling the terms of the settlement "a victory," it was a short-lived celebration for Renaud.

Upon filing the last court documents and picking up the settlement cheques this week, he discovered the money order was issued by the City of Fredericton, not Woodside and Jaymer personally, as they specified in the lawsuit.

Renaud referenced Bylaw A3 sections 3.03 and 3.04, which state the city will not compensate officials who are sued as a result of their own dishonesty (among other provisions), and that city council has the ultimate say on whether officials' legal bills will be covered by taxpayers.

"So this has come from taxpayers," he said, gesturing to the cheque, adding a city clerk told him the settlement payments were not run by city council. "So they broke another bylaw, another one of their own laws, in order to cover for the mayor.

"I can't close the chapter yet. They're going to need to pay the city back for this."

City spokesman Wayne Knorr said the city would not comment on the development until releasing its statement on Jan. 6.

For Renaud, it's a frustrating turn in a case he has consistently said is more about principle than personal gain. While it's unclear if the lesson took at city hall, Renaud said he hopes it won't be lost on citizens.

"This was about the rule of law and democracy," he said. "If we're going to live in a democracy then what Woodside and the city engineer did is just not acceptable, so somebody had to do something about it.

"There are a lot of people who are afraid to stand up for themselves, especially against an authority figure like a mayor, and we'd just like to make the point that you can get justice - but you have to be willing to fight for it."

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