



**Tribunals Ontario**

Human Rights Tribunal  
of Ontario

**Tribunaux décisionnels Ontario**

Tribunal des droits de la personne  
de l'Ontario

**B E T W E E N:**

**The Regional Municipality of Waterloo Police Services Board**

**Applicant**

**-and-**

**Kelly Donovan**

**Respondent**

**-and-**

**Waterloo Regional Police Association**

**Intervenor**

**A N D B E T W E E N:**

**Kelly Donovan**

**Applicant**

**-and-**

**The Regional Municipality of Waterloo Police Services Board**

**Respondent**

**-and-**

**Waterloo Regional Police Association**

**Intervenor**

**CASE ASSESSMENT DIRECTION**

---

**Adjudicator:** Kelly Barker

**Date:** June 4, 2026

**File Numbers:** 2018-33237-S; 2018-33503-S

---

[1] On January 15, 2026, the Tribunal issued a Case Assessment Direction (“CAD”) directing the parties to prepare, exchange and file certain documents with the Tribunal within 56 dates of the date of the CAD, specifically a witness list, witness statements, case summary and all documents they intended to rely on for two Confirmation of Receipt of Application hearings, 2018-33237-S (Application alleging a Contravention of Settlement filed by The Regional Municipality of Waterloo Police Services Board on June 28, 2018) and 2018-33503-S (Contravention of Settlement filed by Kelly Donovan on July 27, 2018).

[2] The parties have complied with the directions in the CAD.

[3] This CAD provides the parties with important directions concerning the joint Contravention of Settlement hearing of the Applications.

[4] Based on the parties’ submissions, the parties will be calling the following witnesses at the hearing for 2018-33237-S (Application alleging a Contravention of Settlement filed by The Regional Municipality of Waterloo Police Services Board on June 28, 2018):

Respondent (Kelly Donovan):	Kelly Donovan
	Pamela Machado
	Donald Jarvis
	Dr. Jackie Garrick
Intervenor:	Mark Egers

[5] Based on the parties’ submissions, the parties will be calling the following witnesses at the hearing for 2018-33503-S (Contravention of Settlement filed by Kelly Donovan on July 27, 2018):

Applicant (Kelly Donovan):	Kelly Donovan
	Pamela Machado

	Dr. Jackie Garrick
Respondent (Waterloo Police Services Board):	Bryan Larkin
	Molly Kimpel

[6] Only witnesses for whom witness statements were provided in accordance with this CAD will be allowed to testify at the hearings.

[7] All witnesses' evidence will be limited to the contents of their witness statements as filed. As previously advised, all witnesses' witness statements will be adopted under oath in lieu of providing oral evidence-in-chief.

[8] The parties' hearing documents will be limited to the documents that have already been filed with the Tribunal in accordance with the January 15, 2026, CAD. The relevance or admissibility of a witness's evidence or a document will be determined by the presiding adjudicator at the merits hearing.

[9] If a party requires a summons to witness for any witness, they may submit a written request for a summons to the Registrar.

[10] If a party or a party's witness requires interpretation services, they may submit a request for same to the Registrar at least 30 days prior to the first scheduled hearing date.

[11] At least 14 days before the first scheduled hearing date, the parties shall exchange and file with the Tribunal their briefs of authorities containing PDF copies of the case law they intend to rely on. **The portions of the cases the parties will be referring to during the hearing must be highlighted.** This directive does not preclude the parties from relying on additional case law as may be necessary.

[12] The parties may participate in mediation/adjudication at the commencement of the merits hearing. To do so, they must complete and submit a Mediation/Adjudication Agreement to the Registrar at least 30 days prior to the first scheduled hearing date. The Agreement can be found on the Tribunal's website at <https://tribunalsontario.ca/hrto/forms-and-filing/>.

[13] The parties shall not file any other submissions or information with the Tribunal prior to the hearing unless and until instructed otherwise by the Tribunal.

[14] In the event the directions or dates herein conflict with those set out in the Tribunal's Rules of Procedure ("Rules") or Practice Directions, the Tribunal hereby varies or waives those Rules and/or Practice Directions in accordance with Rules A4.2 and 1.7.

[15] To the extent there is any inconsistency between the requirements or deadlines in this CAD and any future Notice of Hearing, this CAD must be followed.

## **DIRECTIONS**

[16] The Registrar will schedule a 3-day joint hearing via video conference on my next available dates.

[17] The parties will comply with the directions and deadlines set out above.

Dated at Toronto, June 04, 2026.



---

Kelly Barker  
Member