

# The Toronto Star

## Holyday sues over peers' free ride on legal bills

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Illustrations: Doug Holyday to sue council "as wake-up call to the voters."

Angered by Toronto council's decision to cover legal expenses for three colleagues, Councillor Doug Holyday has hired a lawyer himself to try to quash the payments.

the court.

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Holyday (Ward 3, Etobicoke Centre) wants councillors Adrian Heaps (Ward 35, Scarborough Southwest), Sandra Bussin (Ward 32, Beaches-East York) and Giorgio Mammoliti (Ward 7, York West) to pay their own bills arising from legal actions.

Heaps and Mammoliti both faced compliance audits involving their election spending in 2006. Heaps also faced a defamation suit from another candidate. Bussin brought a defamation suit against a local newspaper publisher.

In all cases, council voted to pay their legal bills. Holyday's filing to divisional court says councillors exceeded their authority in doing so.

The Toronto Party, a grassroots group founded by two citizens, has launched a legal action against Mammoliti and Heaps, but Holyday said he believes that suit is flawed and he wants to make sure the issue gets before the courts.

Holyday said he's paying the lawyer, former city hall solicitor **George Rust d'Eye**, out of his own pocket.

"If I'm wrong about this, it's going to cost me dearly."

Why take a political dispute to court, rather than settling it on the floor of council or asking voters to rule in the next election?

"I think this is a clear situation where they've overstepped their bounds," he said. "This is a wake-up call to the voters, and I think once this takes place maybe the voters will pay a bit more attention to what's going on" at city hall.

"I think the judge will help the voters see in a clearer way what the problem is down there."

Bussin said Thursday she'd just learned about Holyday's legal intentions, which she felt were inappropriate.

"He should be dealing with it through city council," she said. "It's highly unusual (to turn to courts). I haven't actually seen what he is alleging as yet. "

Heaps said the city's integrity commissioner has advised him not to comment.

Mammoliti wouldn't comment with the matter before