

# Dief's my daddy

Man claiming to be Diefenbaker's son says he was unjustly cut out of inheritance

by [Charlie Gillis](#) on Monday, November 7, 2011 6:13pm

Andrew Tolson/Maclean's

If you thought you'd heard the last of Mel Lastman, think again. The paternity case against Toronto's diminutive former leader has arisen 10 years on in the case of a man who believes he is the son of the late prime minister, John Diefenbaker. It could prove pivotal to George Dryden's legal and financial fortunes.

Louie v. Lastman came up as lawyers squared off over whether Dryden should be able to sue members of his own family, whom he alleges cut him out of an inheritance because they knew he was an illegitimate child. "He stands in the same position as [plaintiffs] in the case of Mel Lastman," Clare Burns, the lawyer representing George's non-biological father, Gordon, told the Ontario Superior Court in Toronto. "This court was clear in that case that concealment of paternity is not a cause of action."

It was the latest salvo in an increasingly bitter dispute within the Dryden clan, underlaid by political intrigue should Diefenbaker prove to be George's father. George Dryden established in August through DNA testing that Gordon—the longtime treasurer of the Liberal Party of Canada—is not in fact his dad. Who is, we don't know. But before marrying Gordon, Dryden's mother Mary Lou was active in the Progressive Conservative Party and was seen at public functions at Diefenbaker's side. Members of her family have told George they've long suspected he was the child of Canada's 13th prime minister.

Armed with these clues, George is now in the process of arranging a DNA test through the Diefenbaker Canada Centre in Saskatoon, Sask., which has a number of the late PM's personal articles. He has said he will not make a claim against the Diefenbaker estate; he just wants to know who his father is.

Meanwhile, he's trying to wage a civil suit against his family, and on that front, the Lastman decision is not especially helpful. It surfaced today because it addresses the matter of whether withholding the information about someone's paternity is grounds for the person to sue later in life: the outspoken mayor was still in office in 2001 when Grace Louie, a former employee at his Bad Boy furniture store, filed suit alleging he was the biological father of her two adult sons. Lastman acknowledged carrying on a 14-year affair with Louie, but pointed to a 1974 financial settlement she'd accepted, in which she signed away her right to sue.

The Louies argued that Lastman's one-time payment of \$27,500 wasn't sufficient, and demanded "retroactive child support." But a judge dismissed their claim, rejecting the notion of retroactive child support and noting that it was Grace who had chosen to keep the boys' parentage a secret until they were adults.

How harmful this is to George Dryden's case isn't yet clear, and his lawyer, Stephen Edell, was quick to question its relevance. "In the Lastman case, all the cards were on the table," Edell said outside court. "The mother in that case was the boys' legal guardian when she signed the settlement and had the authority to reach the agreement she did. Those aren't the circumstances here."

Dryden's case, Edell notes, revolves around Gordon's conduct as executor of a multi-million dollar estate belonging to Mary Lou's brother, William Lonergan. In his statement of claim, George alleges that Gordon "extorted legal and financial concessions" from Lonergan, with the effect of cutting George out of the money when Lonergan died in 2002. George sued the Lonergan estate unsuccessfully in 2004, and wound up settling for \$75,000—barely enough to cover his legal fees.

Edell argued that deal should now be set aside, because Gordon had all along concealed a fundamental "conflict of interest"—namely, that he knew George wasn't his child, and wanted the money to go to his biological son, Barrie. The allegations have not been proven in court, and today's hearing gave lawyers for Gordon, Mary Lou and Barrie the chance to argue George's case should be dismissed. Justice Beth Allen said she expects to issue a decision within a few weeks.

Whatever she decides, there's no mistaking the odour of dirty inter-familial laundry emanating from the Dryden court file. It turns out George was conceived a mere three months after his mother married Gordon, a Liberal Party doyen and a blood enemy of the Progressive Conservative prime minister. While Mary Lou hasn't said whether Diefenbaker is the father, she hasn't pointed to anyone else.