

CITATION: Cyrynowski v. Law Society of Ontario, 2026 ONSC 328
DIVISIONAL COURT FILE NO.: 800/25
DATE: 20260116

**SUPERIOR COURT OF JUSTICE – ONTARIO
DIVISIONAL COURT**

RE: JAMES J. CYRYNOWSKI, Applicant

AND:

LAW SOCIETY OF ONTARIO, Respondent

BEFORE: Matheson J.

COUNSEL: *Self-Represented Applicant*

Rhoda Cookhorn, counsel to the Respondent

HEARD at Toronto: In writing.

ENDORSEMENT

[1] The following directions were given under r. 2.1.01 of the *Rules of Civil Procedure* in response to this application for judicial review:

The Law Society of Ontario (LSO) has requested a stay or dismissal of this application under r. 2.1 of the *Rules of Civil Procedure*. The court has reviewed the applicant's notice of application and the underlying LSO outcome letter dated September 17, 2025. The court is concerned the application may be frivolous, vexatious or an abuse of process for the following reasons:

The application seeks to review a decision by the LSO not to pursue any further regulatory review with respect to the applicant's complaint against his former lawyer.

This court has held that a decision by the LSO not to investigate does not constitute a statutory power of decision: *Patel v. The Law Society of Ontario*, 2022 ONSC 7146, at para. 7; *Deokaran v. Law Society Tribunal and Law Society of Ontario*, 2023 ONSC 5432.

The court is concerned it therefore does not have jurisdiction to review the outcome letter.

The registrar is asked to issue a notice pursuant to r. 2.1. The applicant has 15 days to provide the court with submissions of not

more than 10 pages in response to the r. 2.1 notice. The applicant is asked to address the above concerns in his submissions.

[2] The applicant has since made submissions in response to the r. 2.1 notice. He submits that he has not asked for an investigation of his complaint. He submits that he seeks to quash the decision and have it redone by a different decision-maker. The applicant submits that the cases regarding the jurisdiction to order an investigation are not relevant and this Court has jurisdiction.

[3] Subrule 2.1.01(1) authorizes the Court to dismiss a proceeding as frivolous or vexatious or otherwise an abuse of the process of the court. However, r. 2.1 should only be used for “the clearest of cases”: *Scaduto v. The Law Society of Upper Canada*, 2015 ONCA 733, at para. 8.

[4] Although the applicant has not expressly stated that the remedy he seeks is an investigation of his complaint, that remedy may fall within the potential outcomes of the more general request that the decision be redone. There may be a jurisdiction issue.

[5] Further, after the above directions were given to proceed under r. 2.1, the following decision has been released and it may be relevant to jurisdiction: *West Whitby Landowners Group Inc. v. Elexicon Energy Inc.*, 2025 ONCA 821.

[6] I conclude that this proceeding should not be dismissed under r. 2.1 of the *Rules of Civil Procedure*. I underscore that this does not mean that the jurisdiction issue has no merit, nor does it mean that there does not need to be a decision about jurisdiction by this Court. The jurisdiction issue should be raised in response to the application and determined within the application.

Matheson J.

Date: January 16, 2026