

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

(Court Seal)



JULIAN DEVANTE

Plaintiff

and

WAYNE J. BERRY, ARNOLD BECKERMAN and
WWW.SYNTHIONENERGY CO.

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff.
The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the *Rules of Civil Procedure*, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the *Rules of Civil Procedure*. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Issue

Date

May 31, 2022

Issued by

Local Registrar

Address of
court office:

Ontario Superior Court of Justice
Toronto

TO: Wayne J Berry: 57 via Romano way Brampton ON L6P 6P5

SUPERIOR COURT
OF JUSTICE
330 UNIVERSITY AVE.
8TH FLOOR
TORONTO, ONTARIO
M5G 1R7

COUR SUPÉRIEURE
DE JUSTICE
330 AVE. UNIVERSITY
8E ÉTAGE
TORONTO, ONTARIO
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AND TO: Arnold Beckerman: Suite 408, 400 Walmer Rd Toronto, Ontario M5P 2X7

AND TO: www.synthionEnergy.co: Unit 19 - 1270 Finch Ave W Toronto ON M3J 3J7

History

6. From 2008 to 2011 Julian Devante ("DEVANTE") solely researched and developed a non-toxic, printable battery energy storage technology. This battery does not use lithium or nickel and is very inexpensive to produce. In 2012, DEVANTE solely incorporated Synthion Energy Inc and was the sole director, Chairman and CEO.

CLAIM

1. The plaintiff claims: *(State here the precise relief claimed.)*
 - (a) General and aggravated damages in the amount of \$250,000.00;
 - (b) punitive, aggravated and exemplary damages in the amount of \$250,00.00;
 - (c) an order that the defendants remove the false and libelous information contained on the website of www.synthionenergy.co;
 - (d) interest from the date that notice was given to the defendants until judgment, pursuant to the provisions of the Courts of Justice Act, R.S.L. 1990, chapter C. 43 and amendments therefore;
 - (e) the costs of this action on a substantial indemnity basis
 - (f) Such further and other Relief as to this Honorable Court may seem just.
2. The plaintiff resides in the city of Ottawa and is an inventor and technologist.
3. The defendant www.Synthionenergy.co is a website owned and operated by the defendants Arnold Beckerman and Wayne J Berry.
4. The defendant Arnold Beckerman resides in the city of Toronto.
5. The defendant Wayne J Berry resides in the city of Toronto.

History

6. From 2008 to 2011 Julian Devante ("DEVANTE") solely researched and developed a non-toxic, printable battery energy storage technology. This battery does not use lithium or nickel and is very inexpensive to produce. In 2012 DEVANTE solely incorporated Synthion Energy Inc and was the sole director, Chairman and CEO..

7. In 2013 DEVANTE travelled to China and had two offers to manufacture his battery technology after building and testing prototypes. DEVANTE returned to Canada in November of 2013 to consider the offers.
8. Through a job posting DEVANTE met the acquaintance of Wayne J Berry ("BERRY") who was interested in the Chief Financial officer position. BERRY told DEVANTE that he had a friend Arnold Beckerman ("BECKERMAN") who is a millionaire and the duo having high level connections to industry to bring DEVANTE's battery technology to manufacturing quickly. A contract was put together by BERRY's lawyer friend Paul Ameriault. After the contract was entered into BECKERMAN and BERRY proceeded to engaged in the following criminal activities:
- (a) BECKERMAN and BERRY lied about themselves, their capabilities and connections. BECKERMAN was no millionaire. Berry was a con-man pretending to be connected to investors and with high level industry contacts. I did not know that in 2012 Wayne J Berry defrauded elderly investors in Nova Scotia. When the Nova Scotia Securities Commission brought charges against Berry in November 2012, he ran away to Africa. In 2017 the Nova Scotia Securities Commission approved a settlement for Berry because most of the victims had past away and could no longer testify. Berry was ordered to pay \$40,000 penalty, cease trading in securities for five years, prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager for three years and be prohibited from becoming or acting as a registrant, investment manager or promoter for five years.

(a) **Breach of Contract** – Section 422(1) Criminal Code **and Criminal breach of trust** – Section 336 Criminal Code

- BERRY visited Norton Rose Fullbright to view my then confidential Patent which contains materials, chemicals, methods and process for making the energy storage battery. At the time this information was confidential and BECKERMAN and BERRY was not allowed to view this information.
- BECKERMAN and BERRY grossly breached the contract leading to theft of my technology and company.

(b) **Theft** - Section 322 (1) of the criminal code

- In May 2014, BECKERMAN and BERRY took 11 boxes that was to be shipped to myself in California. The boxes contained chemicals, materials and equipment required for my energy storage technology patent.

(c) **False Statements**

- BERRY lied to the Toronto Police regarding the materials and equipment they stole from me.

(d) **Obstruction of Justice** - Section 129

- BERRY contacted the Toronto Police and provided false information, convinced the officers to not pursue the investigation of theft of materials. Berry successfully obstructed and ended the investigation of theft (of technology materials and equipment).

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(e) **Forgery** - Section 363 & Section 374 Drawing document without authority

- BECKERMAN and BERRY fabricated a fake shares certificate for my 93% ownership in Synthion Energy Inc, complete with a fake seal that is different to the official seal of Synthion Energy Inc.

(f) **False pretence** - Section 361 (1)

- BECKERMAN and BERRY visited the Toronto's Sheriff Office and under false pretence convinced the Sheriff that forged shares certificate as genuine. They requested the Fabricated shares certificate be sold for 93% of my ownership in Synthion Energy Inc.

(g) **Perjury** - Section 131 (1) Misleading Justice

- BECKERMAN and BERRY committed numerous acts of Perjury and outright lies in their affidavits on which their entire court case is based on. I had documented this thoroughly for the Toronto Police,

(h) **Identity Theft** - Section 402.1

- BERRY changed my address on the US Patent office listing for my patent to BERRY's apartment address to illegally gain all my correspondence from the patent office to himself.

(i) **Fraud - Section 380 (1)**

- BECKERMAN and BERRY filed a form 3 and form 6 with industry Canada to place themselves in the online database as directors on numerous occasions after they were removed as directors from Synthion Energy Inc. Each occurrence of this action is both illegal and criminal
- BECKERMAN and BERRY Illegally created a new class of shares and sold these shares to enrich themselves after they were removed from Synthion Energy Inc.
- Beckerman and Berry held a mock meeting in which they purported to removed Arjun as director and remove myself as chairman of the board, director and majority shareholder in Synthion Energy Inc. This act goes against the law and is not legally possible.

(j) **Defamation - Section 298 (1) Libel**

- BECKERMAN and BERRY posted a defamatory website riddled with lies and fabrications, vilifying myself to ensure I could not pursue my technology they have stolen.

(k) **Mischief - Section 140 (1)**

- BECKERMAN and BERRY placed false complaints to the Toronto Police about myself. The fabricated information includes: "that I was removed from my company and that they are the sole owners of Synthion Energy Inc". (This is on their defamatory website: www.synthionenergy.co)
- BECKERMAN and BERRY contacted and provided false information to Industry Canada; The informed industry Canada that they are directors

in Synthon Energy and that I was removed from Synthon when in fact, the opposite was the case.

9. After committing the criminal activities listed above, stealing DEVANTE's technology, forging a fake shares certificate to steal DEVANTE's 93% shares in Synthon Energy Inc, BECKERMAN and BERRY proceeded to setup a fake Synthon Energy Website:

www.synthionenergy.co to destroy DEVANTE's reputation as they tried to gather investment and profit from DEVANTE's technology.

10. From August 2020 to present BECKERMAN and BERRY setup a fake website known as

www.synthionenergy.co describing the plaintiff as "Julian Devante a fraudster" and that "the Toronto police is after Julian Devante for fraud".

Further, the defendant's said Judge Newbold referred to Julian Devante as a "crook" and that he "fraudulently tried to sell technology that did not belong to him". All of these statements are false and were deliberately manufactured to vilify and destroy DEVANTE's character, harming his reputation in such a sinister way that he would not be able to pursue his energy storage technology or business.

11. The website is owned and operated by the defendants BECKERMAN and BERRY

12. These defendants made these libelous statements in the website knowing and intending that they would cause severe harm to the plaintiff.

13. The words used in the website were calculated to disparage the plaintiff in the minds of right-thinking people generally and constituted defamatory statements impugning the honesty and character of the plaintiff.

14. The defendant's conduct resulted in causing great distress, embarrassment, loss of reputation, humiliation and financial loss.

15. All of the defendants acted out of malice toward the plaintiff and with the deliberate intention of discrediting his reputation and holding them up to public scandal, ridicule and

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contempt. The conduct of the defendants entitles the plaintiff to aggravated, exemplary and punitive damages.

16. The plaintiff gave notice on about April, 2022 to the defendants to remove the lies made in the website www.synthionenergy.co but they have refused to do so.

17. The plaintiff proposes that this action be tried in Toronto, Ontario.

Julian DeVante

#40 - 1110 Finch Ave
west

TORONTO ONTARIO

M3J 3M2

Quantum 72 @protonmail

SELF REPRESENTING

JULIAN DEVANTE
Plaintiff

-and- WAYNE BERRY and ARNOLD BECKERMAN et al.
Defendants

Court File No.

cr-22-00681952
-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
OTTAWA

Toronto



STATEMENT OF CLAIM

JULIAN DEVANTE

Unit 40 -1110 Finch Ave West

Toronto ON M3T 3M2

E-Mail:



Self Representing

RCP-E 4C (May 1, 2016)