

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: FEBRUARY 17, 2010

SUBJECT: TTC v. KILMARTIN

INFORMATION ITEM

REASON FOR CONFIDENTIAL INFORMATION:

This report contains information relating to litigation affecting the Commission.

RECOMMENDATION

It is recommended:

1. That the Commission receive the information as set out in Confidential Attachment; and
2. That the Commission not authorize the public release of the confidential information in Attachment 1 until such time as the litigation and any settlement is finalized.

BACKGROUND

In 2006, a number of arrests were made in both Canada and the United States of America with respect to the distribution and selling of counterfeit TTC tokens. TTC investigations established that the counterfeit tokens were being manufactured by the Roger Williams Mint, in Massachusetts, USA.

In order to help recover some of the losses suffered by the TTC with respect to the use of counterfeit fare media, in June 2006, the TTC filed a formal Complaint (Statement of Claim) against Kilmartin Industries, Inc. (owners of Roger Williams Mint) and some of its officers and employees in an attempt to recover damages arising from the manufacturing of unauthorized TTC tokens. TTC also received a Court Order preventing Kilmartin Industries, Inc. from selling or disposing of the real estate property on which the Mint was located (the only remaining asset of the Mint) in an effort to secure recovery of damages.

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Attachments - Confidential Attachment