

# O'LEARY BOAT CRASH: VICTIMS' FAMILIES CONTINUE THEIR CIVIL FIGHT FOR JUSTICE DESPITE DISAPPOINTING ACQUITTAL

TORONTO, ONTARIO, CANADA, September 14, 2021 /EINPresswire.com/ -- Boating safety on Ontario waterways and the resulting unnecessary injuries and deaths from collisions continue to go ignored by parliament and our system. Today's acquittal of Linda O'Leary's charges further exemplifies this.

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*Patrick Brown*

August 24th marked two years since the tragic [boat crash](#) on Lake Joseph that killed Susanne Brito and Gary Poltash. One of the boats was owned and operated by Kevin O'Leary and Linda O'Leary. The other boat was owned by Irv Edwards and operated by Richard Ruh. When the O'Leary boat crashed into the Edwards boat that Susanne and Gary were on, Gary was killed instantly, and Susanne was rushed to hospital with critical injuries. Susanne later succumbed to those injuries. Over the past two years the Brito and Poltash families have been seeking answers as to

what led to their loved ones' deaths.

To date, the victims' families have not found any justice. Richard Ruh paid a fine of \$180 for not having navigation lights turned on on the Edwards' boat. Linda O'Leary was acquitted from her charge of operating a boat carelessly due to the high legal threshold of a reasonable doubt.

For over two years the victims' families have been denied access to the full investigation and the evidence gathered by the police and prosecutors. Furthermore, after Linda O'Leary's trial concluded, the victims' families attempted to obtain the crown brief and police evidence, which the O'Leary's opposed. The victims' families won a motion to obtain it and are now waiting for the delivery of the evidence by the police and the prosecutors.

Today, Justice Humphrey delivered his verdict acquitting Linda O'Leary. However, despite the acquittal by the court, the families will continue to fight for justice civilly. O'Leary was charged under the Canadian Shipping Act following the collision. The acquittal in this matter has no bearing on the victims' family's civil lawsuit. A different standard of fault applies, and additional evidence will be heard by a different court.

[Patrick Brown](#) and his Co-Counsel [Nick Todorovic](#) will continue to move forward with their cases, seeking accountability against those who caused this fatal and preventable boat crash. "Once all the evidence is presented, we are confident that justice will be obtained for the families of Susanne Brito and Gary Poltash, and those at fault will be held accountable. As we said when we issued the initial claim in November 2019 for these grieving families, it is about obtaining civil justice to prevent these deaths and curtail reckless and dangerous behaviour from continuing on our lakes. We are not there yet." says Patrick Brown.

#### About McLeish Orlando LLP

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