

**DISCIPLINE COMMITTEE  
OF THE COLLEGE OF DIETITIANS OF ONTARIO**

**PANEL:**

Barbara Grohmann, Chair  
Santhikumar Chandrasekharan  
Galina Semikhnenko

**BETWEEN:**

COLLEGE OF DIETITIANS OF ONTARIO	)	
	)	<u>Bernard LeBlanc</u>
	)	College of Dietitians of Ontario
- and -	)	
	)	
MARILYN MORI	)	No one appearing for the Former Member
	)	
	)	
	)	<u>Luisa Ritacca</u>
	)	Independent Legal Counsel
	)	
	)	Heard: September 10, 2024

**DECISION AND REASONS**

1. This matter came on for a motion hearing before a Panel of the Discipline Committee of the College of Dietitians of Ontario (the “College”) on September 10, 2024. The hearing proceeded by way of videoconference on consent of the parties.
2. Ms. Mori was not present at the outset of the hearing. The Panel was advised by the College that the last communication they had with Ms. Mori was an email in which she indicated that she would not be present for the hearing. According to the email, Ms. Mori’s friend had just died, and she was not in an emotional state to participate. Critically however, Ms. Mori did not seek an adjournment of this motion, nor did she indicate that she wanted to participate in the hearing.
3. After hearing the College’s submissions and upon being satisfied that Ms. Mori was aware of the hearing date and time, the Panel decided to proceed in Ms. Mori’s absence. Given that the College was seeking an indefinite adjournment of the

matter and given that Ms. Mori had already resigned, the Panel concluded that there was no prejudice to the former member in proceeding with the hearing.

4. The Panel received a copy of the Notice of Hearing, dated April 23, 2024, which was marked as Exhibit 1. The College confirmed that it would not be proceeding with the allegations contained therein at this time and instead sought an order adjourning this matter on an indefinite basis.

### **Motion by the College**

5. The College moved for an order indefinitely adjourning the hearing of the allegations as set out in the Notice of Hearing.
6. In its submissions in support of its motion, the College provided the Panel with the following information:
  - a. On June 17, 2024, the Former Member signed an Acknowledgement and Undertaking (Exhibit 2) in which she agreed to resign and surrender her membership in and certificate of registration with the College.
  - b. The Former Member acknowledged that if she were to ever reapply for membership, registration, licensure or similar status with the College or any other regulatory body in future, the College will be entitled to rely upon her Acknowledgement and Undertaking in any registration or other similar proceeding as reason to deny her application.
  - c. The Former Member confirmed that upon her resignation from the College, she will not be entitled to use the title “Dietitian”, a variation or abbreviation or an equivalent in another language and that she will not be able to hold herself out as a person who is qualified to practise in Ontario as a Dietitian or in a speciality of dietetics, and that she will not be entitled to imply that she is a dietitian.
  - d. The Former Member acknowledged that if she were ever to breach any part of her Acknowledgement and Undertaking, the College will be entitled to proceed with a hearing in this matter and will also be entitled to allege that she breached her Acknowledgement and Undertaking for that purpose.
7. The College also confirmed that the fact of the Former Member’s resignation and the terms of her Acknowledgement and Undertaking would be made available on the College’s register, as required by law.

**Decision and Reasons for decision**

8. The issue before the Panel is whether it is appropriate and in keeping with its mandate to protect the public interest to grant the College's request for an indefinite adjournment of the hearing of this matter. Given Ms. Mori's resignation and undertaking set out in Exhibit 2, the Panel is satisfied that adjourning this matter is consistent with its public interest mandate.
9. The Former Member's resignation and undertaking will protect the public. The impact of the resignation and undertaking is more significant than anything this Panel could impose by way of a sanction following a full hearing.
10. The College's obligation of public transparency will be served by the fact that this matter proceeded in an open hearing; the Former Member's Acknowledgement and Undertaking will be available on the College's register, which is found on the College's website; and this Panel's decision and reasons will be accessible via the College's website as well.
11. The profession and the public will also avoid the costs of a full hearing.
12. Should Ms. Mori, who was not present today, wish to have this matter fully adjudicated, she is free to come before the Discipline Committee to seek an order requiring the adjournment to be lifted.
13. We regard the proposed disposition as consistent with the public interest. Accordingly, we will make the order requested by the College. The disciplinary proceedings against Ms. Mori are adjourned indefinitely.

I, Barbara Grohmann, sign this Decision and Reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below:



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Barbara Grohmann, Chairperson  
Santhikumar Chandrasekharan  
Galina Semikhnenko

September 18, 2024

Date