

# Woman sues rabbi over alleged brief affair

## BATHURST SYNAGOGUE

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- BY NATALIE ALCOBA

A Richmond Hill woman who is suing a Forest Hill rabbi for allegedly manipulating her into a sexual relationship hopes to settle the case out of court, her lawyer says.

Yona Nadler, 52, alleges Rabbi Tobias Gabriel and the Beth Tzedec Synagogue, on Bathurst Street, breached their fiduciary duty leading up to and during a two- or three-month affair in which she claims she was “subjected to heinous sexual and emotional assaults” at the hands of her rabbi, Mr. Gabriel. She blames Beth Tzedec for allowing the relationship to start and continue and is claiming \$1.3-million in damages.

Her husband, Samuel Nadler, is claiming \$100,000 for the damage to his marriage.

Beth Tzedec sent a letter to its 6,000 members this week informing them of the lawsuit and stating that the synagogue would no longer employ Rabbi Gabriel.

“It’s a tragic situation for all concerned,” Michael Royce, the synagogue’s lawyer, said yesterday. He said Beth Tzedec only became aware of the alleged affair after the fact, when Ms. Nadler issued a complaint late last year.

Mr. Gabriel agreed then to resign by the end of this year. He has since been suspended from his duties, but will be paid until the end of the year, according to his lawyer.

Alf Kwinter said his client intends to “strongly challenge these allegations” and criticized the synagogue for issuing the letter to the congregation. He noted that when the complaint first surfaced, Beth Tzedec chose not to suspend Rabbi Gabriel.

Mr. Kwinter said his client has served the Beth Tzedec congregation in an “exemplary manner” for 13 years.

Ms. Nadler, a devout Jew, began studying to become a cantor under Rabbi Gabriel in July, 2006, according to a statement of claim filed with the Ontario Superior Court of Justice. The rabbi was “friendly and flirtatious,” it is alleged, and when Ms. Nadler gave him a token of her appreciation at the end of the course, he “closed the door of his office and kissed Yona.”

Ms. Nadler fled, shaken and confused, the statement claims.

Ms. Nadler claims that over the next few months, Rabbi Gabriel “kept almost constant contact” with her, convinced her that it is acceptable to love two men and that “it would not be wrong to be intimate with him.” They eventually had sexual intercourse. Ms. Nadler describes it all as a “sexual assault” because she did not consent to it.

None of the allegations been proven in court.

“When you’ve got a fiduciary relationship it is, in most situations, impossible for somebody to give consent because there are very, very unequal bargaining powers between the two,” her lawyer, Simona Jellinek, said yesterday in an interview. The rabbi abused his position of trust, she alleged, adding that the ordeal has shaken the foundations of her client’s marriage and her faith.

Ms. Nadler also alleged the synagogue had prior knowledge of another sexual relationship the married rabbi had with another married woman, an allegation refuted by Beth Tzedec’s lawyer.

Mr. Royce said Beth Tzedec is anxious to sit down with Ms. Nadler and her husband “to hear what they have to say,” but he has advised his client that they bear no legal responsibility for any impropriety because they were unaware of it while it was occurring.

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