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## COURTS

# McCain and Melanson: An arts-world marriage unravels

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The high-profile arts administrator Jeff Melanson got married and took a job with the Toronto Symphony Orchestra because he was facing harassment allegations and administrative problems at the Banff Centre, his estranged wife alleges in a court document.

The 34-page court application filed by Eleanor McCain is packed with allegations of behind-the-scenes abuses and misconduct at three major arts organizations where Mr. Melanson has worked in the past decade – the National Ballet School, the Banff Centre and the TSO.

The filing describes Mr. Melanson as a leader who sparked sexual harassment complaints, put female partners on the payroll, drank on the job, fired people unjustly and sought an escape route from the Banff Centre, leaving it in the lurch with his abrupt resignation. “The real reasons for Jeff’s departure from [Banff] were his harassment of female employees and his inability to deliver on his grandiose plans,” the document alleges.

The claims have not been tested in court. When contacted, Mr. Melanson, who has seen the document, responded: “This is grossly inaccurate; what she said is grossly inaccurate, incredibly undignified, and it saddens me. I will be responding in due course, but that will be through the courts and not through the press.”

Mr. Melanson declined to comment on the specific allegations, saying it would be inappropriate to do so through the media.

Mr. Melanson’s rise through the Canadian arts administration ranks took him from dean of the Royal Conservatory of Music Community School, a position he held until 2006, to the National Ballet School, where he was executive director and co-CEO.

From the ballet school, with a current annual budget of \$18-million, Mr. Melanson became president of the Banff Centre – a renowned arts and conference centre with an annual budget of about \$62-million in 2014-15 (including about \$20-million in government grants).

Mr. Melanson began at Banff in 2012 and was widely expected to remain there for a decade to carry out an ambitious billion-dollar plan that included new facilities and media platforms. But he shocked

the board – and the arts world – with the announcement of his departure in 2014. He said he was leaving for personal reasons – to return to Toronto to be with his three children from his first marriage, and his fiancée, Ms. McCain. He landed another plum job: president and CEO of the Toronto Symphony Orchestra.

Ms. McCain, 46, is a professional singer and daughter of the late billionaire Wallace McCain. She and Mr. Melanson made headlines after they married in the spring of 2014.

Ms. McCain says Mr. Melanson, 42, abruptly ended their nine-month-old marriage by sending her an e-mail in January, 2015.

Her court document, which was filed March 2, alleges that Mr. Melanson told a friend “that Jeff would be ‘set for life’ with his divorce settlement from Eleanor.”

However, instead of a divorce, Ms. McCain has applied for an annulment, arguing that she was “tricked” into marrying him.

An annulment would void the marriage, as if it never happened, said Andrew Feldstein, a Toronto-area family-law practitioner who is not involved in the case.

“So if the marriage never happened, then the other spouse would not be entitled to a division of that family’s property, they would not have any rights to possession of the matrimonial home,” Mr. Feldstein said.

Furthermore, he said, since the couple separated after less than three years together, the respondent would not be entitled to spousal support.

Ms. McCain’s annulment request argues that Mr. Melanson misrepresented himself, concealing that he was a philanderer, and married her to boost his career.

“Eleanor learned post break-up that Jeff stated during his marriage to her that fundraising at his new position as president of the TSO would be easy because of his connection to the McCain family,” her court request says.

“Eleanor also learned post break-up that Jeff had bragged at [the Banff Centre] that he was connected to powerful families in Canada, including the McCains. Throughout, Jeff misrepresented himself to Eleanor, and sought dishonestly to advance himself through her.”

The filing alleges that Mr. Melanson repeatedly got his personal and professional lives tangled up.

After Mr. Melanson became president of the Banff Centre in January, 2012, he created a position for a woman whom he was pursuing, the court document says.

Mr. Melanson “started freezing [the woman] out” and her career at the Banff Centre was

“destroyed,” according to the document. She eventually filed a sexual harassment complaint, then later threatened to sue after she was terminated, and ultimately reached a settlement agreement, the court filing says.

When reached on Sunday, the woman sent a statement to The Globe and Mail: “All matters related to my employment with the Banff Centre, and with my leaving employment with the Banff Centre, have been resolved. All claims I had against the Banff Centre and Jeff Melanson have been resolved to my satisfaction, including acceptance of a financial settlement, the terms of which I will not disclose. I wish the Banff Centre every success in the future.”

In an interview on Sunday, Banff Centre president Janice Price acknowledged the settlement but would not reveal details, citing a non-disclosure agreement.

The court application says Mr. Melanson also had an intimate relationship with another employee who alleged harassment and with whom a settlement agreement was reached. It also alleges that he harassed a third woman at the centre.

Ms. Price, who has seen the document, says she and her team were not aware of the subsequent two cases. “There is only to anyone’s knowledge the one instance of any legal settlement related to Jeff and his behaviour,” she said. She also said there were no formal complaints of harassment made to the Banff Centre on any of the matters alleged in the filing.

“Obviously it’s extremely concerning and troubling to hear about these allegations that happened before my time and it’s not the way we manage our business here,” she said, adding that there has been renewed emphasis at the centre on anti-harassment policies and procedures.

“Probably as there would be in this circumstance in any organization, there’s a heightened awareness, but we’re really making sure that the incoming staff sign that they’ve received the policies, sign that they understand the policy and clearly know where they go and to whom they should report any issues that they have,” Ms. Price said.

Around the same time as the legal case was proceeding with the first woman at the Banff Centre, the court request alleges, Mr. Melanson started “relentlessly” courting Ms. McCain, falsely claiming that he was close to her father. Shortly thereafter, in January, 2014, he began discussions with the TSO. He stepped down from the Banff Centre in April, 2014.

“Jeff had to get out of Banff,” the document says. “Eleanor now believes that Jeff pursued her and pushed to marry her so quickly because he thought that marrying her and being associated with her family would help redeem him from his scandalous behaviour in Banff and would give him an excuse for not being able to fulfill his grandiose plans at [the Banff Centre]. But being associated with the McCain family, Jeff planned to restore his reputation in the Canadian arts.”

Furthermore, the court file alleges that Mr. Melanson frequented the Ashley Madison cheating website, using an IP address belonging to the Banff Centre. Mr. Melanson’s user name was Sarastro2012, an allusion to the Mozart opera *The Magic Flute*, the court petition says, noting that

“Jeff admired the role of Sarastro and would sing it in Eleanor’s company.”

Ms. Price, reiterating that this is alleged to have occurred before she arrived at Banff, said “that was absolutely news to me. ... We’ll have to I guess look at everything in [the filing] and decide what if any further action needs to be taken.”

At the TSO, the document says, he hired the woman he is dating.

“Jeff and [that woman], on behalf of the TSO, have travelled extensively to classical music festivals, including trips to Switzerland and Italy,” the court filing says, adding that she was later terminated when the board learned she had been brought to the TSO by Mr. Melanson, “which was totally inappropriate.”

The document alleges that, while he was co-chief executive officer of the National Ballet School, from 2006 to 2011, he falsely blamed its administrative director, Robert Sirman, for financial problems. Reached Sunday, Mr. Sirman declined to comment, saying he had not read the document.

The filing also alleges that Mr. Melanson fired the school’s fundraiser, Shawn Saulnier, then took credit for his achievements. Further, the document alleges, Mr. Melanson falsely told Mr. Saulnier that the board had cancelled his contract and there was nothing Mr. Melanson could do.

It adds that Mr. Melanson travelled to New York at the school’s expense, “for no apparent business purposes,” drank too much during work functions and was distracted from his job when he took a position as an arts adviser to then-Toronto mayor Rob Ford.

“Jeff had a cold and callous way of dealing with people at [the Banff Centre] as well,” the document said, detailing how he abruptly fired employees, including Henk Guittart, a music director who was sacked after he moved to Banff from the Netherlands, and Leslie Vanderzwet, an employee who was let go and denied benefits even though she now suffers from amyotrophic lateral sclerosis (ALS).

When reached by The Globe, Ms. McCain declined to comment, as the matter is now before the courts.

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