

COURT FILE NUMBER QBG-SA-00766-2022

COURT OF KING'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE SASKATOON

PLAINTIFFS CAITLIN ERICKSON, JENNIFER SOUCY (BEAUDRY)  
and STEFANIE HUTCHINSON

DEFENDANTS KEITH JOHNSON, JOHN OLUBOBOKUN, KEN SCHULTZ,  
NATHAN RYSAVY, DUFF FRIESEN, LYNETTE WEILER,  
JOEL HALL, FRAN THEVENOT, LOU BRUNELLE, JAMES  
RANDALL, TRACEY JOHNSON, SIMBO OLUBOBOKUN,  
CATHERINE RANDALL, KEVIN MACMILLAN, ANNE  
MACMILLAN, DAWN BEAUDRY, NATHAN SCHULTZ,  
AARON BENNEWEIS, DEIDRE BENNEWEIS, DARCY  
SCHUSTER, RANDY DONAUER, JOHN THURINGER, MILE  
TWO CHURCH INC., THE GOVERNMENT OF  
SASKATCHEWAN, JOHN DOES and JANE DOES

**Brought under *The Class Actions Act*, SS 2001 c C-12.01**

**REPLY TO REQUEST FOR PARTICULARS**

The Plaintiffs, Caitlin Erickson, Jennifer Soucy (Beaudry), and Stefanie Hutchinson, hereby reply as follows to the Defendant's, Joel Hall's, Request for Particulars, dated October 31, 2023:

**The Plaintiffs state generally that the nature of class action litigation is that not all instances of conduct captured by the conduct pleaded in the Second Amended Statement of Claim are, or can be, known to the Plaintiffs and that in this regard the Second Amended Statement of Claim affords Joel Hall sufficient information to enable him to understand "at least in broad strokes what the plaintiff's case is about" with respect to all of the particulars requested (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).**

**The Plaintiffs state that particulars requiring the identification of perpetrator, victim, and date of each and every incident of abuse carried out by the Defendants against members of the Plaintiff Classes, which occurred over a span of 1982 to present, is not**

**reasonable, appropriate or consistent with either the general rules of pleadings or the rules of pleadings in a class action. Further, such requests for particulars are contrary to the purpose of class proceedings as a whole, and particularly respecting class proceedings prior to certification. Particularly pre-certification, the Class Plaintiffs do not, and can not, know of all conduct carried out against all of the Plaintiff Classes.**

**The Plaintiffs state that the Second Amended Statement of Claim speaks for itself with respect to the allegations.**

**The Plaintiffs state that the Second Amended Statement of Claim speaks for itself with respect to the individuals who were the victims of and suffered damages as a result of the allegations.**

**The Plaintiffs state that all of the conduct alleged in the Second Amended Statement of Claim occurred in the Province of Saskatchewan during the period from 1982 to present.**

1. Generally, particulars for each claim made against the Individually Named Defendants in the Second Amended Statement of Claim as it pertains to Joel, including:
  - a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The name of the alleged victims;
  - e. The nature of Joel's involvement in the alleged incidents; and
  - f. The specific action which Joel is alleged to have taken leading to the alleged harm caused.

**Reply:**

**The Plaintiffs reply as follows:**

**The Statement of Claim speaks for itself and outlines the particulars requested herein.**

**In addition:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
  2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
2. With respect to paragraph 41 of the Second Amended Statement of Claim, details of the principles referred to therein and of the manner in which Joel is alleged to have carried them out, including:
- a. The manner in which these principles were allegedly communicated to Joel;
  - b. Joel’s alleged agreement with these principles, whether express or implied;
  - c. The manner in which Joel allegedly carried out these principles;
  - d. Dates or approximate dates which Joel allegedly carried out these principles;
  - e. The location of each alleged incident of Joel carrying out these principles;
  - f. The names of the individuals who Joel allegedly carried out these principles upon;  
and
  - g. The names of the individuals who allegedly witnessed Joel carrying out these principles.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).**
  - 2. The Defendant has better knowledge of the particulars demanded by it (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).**
  - 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).**
  - 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).**
3. With respect to paragraphs 45 & 46 of the Second Amended Statement of Claim, particulars of the corporal punishment allegedly observed by Joel, including the:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. The capacity in which Joel was present at the alleged incidents; and
  - f. The names of the individuals who witnessed Joel present at the alleged incidents.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
  2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
4. With respect to paragraphs 46.2 of the Second Amended Statement of Claim, details of the physical, psychological, emotional, and religious abuse which Joel is alleged to have carried out, including the:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. The capacity in which Joel was present at the alleged incidents; and
  - f. The names of the individuals who witnessed Joel present at the alleged incidents.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
5. With respect to paragraphs 47(b)(i)(4) of the Second Amended Statement of Claim, particulars of the alleged incidents of Joel striking Coy Nolin with a paddle including:
  - a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. Details of Joel’s alleged presence at the incidents; and
  - e. Details of Joel’s alleged role in the incidents.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).

2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
6. With respect to paragraphs 47(c) of the Second Amended Statement of Claim, particulars of the alleged incidents of Joel physically striking students and minor adherents and congregants of the Church as a disciplinary response to the behaviour noted therein, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. Details of Joel’s alleged presence at the incidents; and
  - e. Details of Joel’s alleged role in the incidents.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

- 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  - 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
7. With respect to paragraphs 47(f) of the Second Amended Statement of Claim, details of Joel allegedly taking the student to be paddled, including:
- a. Dates or approximate dates on which such alleged conduct took place;
  - b. The name of the alleged victim;
  - c. The name of the individual who allegedly paddled the student; and
  - d. The nature of Joel’s involvement with the alleged paddling.

**Reply:**

**The Plaintiffs reply as follows:**

- a. The conduct took place in or about 2002 or 2003.**
- c. The paddling was carried out by John Olubobokun.**

**The Plaintiffs state:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
- 2. The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).



3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
8. With respect to paragraphs 47(l) and 47(l.1) of the Second Amended Statement of Claim, details of the conduct Joel is alleged to have engaged in, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. The nature of the alleged physical tasks;
  - f. The nature of the alleged disabilities;
  - g. The relationship between the alleged physical tasks and the performance standards mentioned;
  - h. The relationship between the alleged “wall sit” mentioned in 47(l.1) and the allegation against Joel in 47(l);

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
9. With respect to paragraph 48 of the Second Amended Statement of Claim, particulars of Joel’s alleged abuse in the nature of intentional infliction of mental injury, the nature of trespass to the person, and the intentional infliction of mental, psychological, emotional, and spiritual harm to the students at the School and minor adherents and congregants of the Church, including:
  - a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims; and
  - e. The actions which Joel is alleged to have taken which amount to alleged abuse in the natures noted above.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
10. With respect to paragraph 48(a), particulars of Joel’s involvement in each allegation listed in clauses 48(a)(i) through 48(a)(vi), including::
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The specific actions which Joel is alleged to have taken amounting to the claims noted therein.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).

4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).

11. With respect to paragraph 48(d), particulars of Joel’s involvement in the excommunication of members of the Plaintiff Classes, including:

- a. Frequency;
- b. Location;
- c. Dates or approximate dates on which such alleged conduct took place;
- d. The names of the alleged victims; and
- e. The nature of Joel’s alleged involvement in the alleged excommunication incidents.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see:

*Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).

12. With respect to paragraph 48(g), particulars of the alleged incidents of Joel insulting, degrading, demeaning and humiliating members of the Plaintiff Classes, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims; and
  - e. Details of what Joel is alleged to have said.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
- 2. The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
- 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
- 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).

13. With respect to paragraph 48(h), particulars of the alleged incidents of Joel threatening separation of members of the Plaintiff Classes from their siblings, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims; and
  - e. Details of what Joel is alleged to have said amounted to the treats (*sic*) noted therein.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
  - 2. The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  - 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  - 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
14. With respect to paragraph 48(i), particulars of Joel isolating members of the Plaintiff Classes, including:
- a. Frequency;
  - b. Location;

- c. Dates or approximate dates on which such alleged conduct took place;
- d. The names of the alleged victims;
- e. The nature of the alleged isolation;
- f. The nature of Joel's involvement in the alleged incidents.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).**
  - 2. The Defendant has better knowledge of the particulars demanded by it (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).**
  - 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).**
  - 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).**
15. With respect to paragraph 48(j), particulars of the alleged incidents of Joel refusing to assist “bad” students, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place; and
  - d. The names of the alleged victims.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
  - 2. The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  - 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  - 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
16. With respect to paragraph 48(k), particulars of the alleged incidents of Joel refusing to assist students with learning disabilities, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place; and
  - d. The names of the alleged victims.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).



2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
  3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
17. With respect to paragraph 48(m.2), particulars of the alleged incidents of Joel refusing to allow students to use the washroom, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place; and
  - d. The names of the alleged victims.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
18. With respect to paragraph 48(m.3) through 48(m.5), particulars of the alleged incidents of Joel subjecting members of the Plaintiff Classes to physical abuse, intimidation abuse, and non-physical abuse and forcing members of the Plaintiff Classes to witness the same, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. The specific actions which Joel is alleged to have taken amounting to “forcing” members of the Plaintiff to witness the alleged conduct noted therein.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
19. With respect to paragraph 48(m.6), particulars of the alleged incidents of Joel effecting harm on members of the Plaintiff Classes by intimidating, coercing, and demanding financial contribution from their families, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. The names of the alleged family members;
  - f. Details of what Joel is alleged to have said amounting to intimidation, coercion, or demanding financial contribution from their families.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).

3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
  4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars** (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).
20. With respect to paragraph 48(m.7), particulars of the alleged incidents of Joel speaking to the female student, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims; and
  - e. The nature of Joel’s involvement in this incident.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
2. **The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).

4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).**

21. With respect to paragraph 48(m.9), particulars of the alleged incidents of Joel refusing to allow children to change into clean clothes, including:

- a. Frequency;
- b. Location;
- c. Dates or approximate dates on which such alleged conduct took place;
- d. The names of the alleged victims;
- e. Details of the specific conversation that is alleged to have occurred wherein Joel stated such refusal.

**Reply:**

**The Plaintiffs reply as follows:**

1. **The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).**
2. **The Defendant has better knowledge of the particulars demanded by it (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).**
3. **The particulars demanded are not reasonably required by the Defendant in order to plead intelligently (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).**
4. **The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”, as is required in a pre-certification application for further particulars (see:**

*Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).

22. With respect to paragraph 49, particulars of the alleged incidents of Joel using the threat of physical abuse and non-physical abuse to intentionally inflict mental injury on, intimidate or coerce students and minor adherents and congregants of the Church, including:
- a. Frequency;
  - b. Location;
  - c. Dates or approximate dates on which such alleged conduct took place;
  - d. The names of the alleged victims;
  - e. Details of what Joel is alleged to have said amounting to a threat of physical abuse and non-physical abuse;
  - f. Details of the manner in which Joel is alleged to have used such a threat to inflict mental injury, intimidate or coerce students and minor adherents and congregants of the Church.

**Reply:**

**The Plaintiffs reply as follows:**

- 1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110).
- 2. The Defendant has better knowledge of the particulars demanded by it** (see: *Prince Albert Co-Operative Assn. Ltd. v. Lyons*, [1984] S.J. No. 110 and *Canadian Imperial Bank of Commerce v. Todd*, [1987] S.J. No. 703).
- 3. The particulars demanded are not reasonably required by the Defendant in order to plead intelligently** (see: *Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)*, [1994] 9 W.W.R. 293).
- 4. The Statement of Claim affords the Defendant sufficient information to enable it to understand “at least in broad strokes what the plaintiff’s case is about”,**

as is required in a pre-certification application for further particulars (see: *Wasserman v Saskatchewan (Minister of Highways and Infrastructure)*, 2022 SKQB 17, [2022] SJ No 34).

DATED at the City of Saskatoon, in the Province of Saskatchewan, this 28<sup>th</sup> day of December, 2023.

**SCHARESTAIN LLP**

Per:



Solicitors for the Plaintiffs, Caitlin Erickson,  
Jennifer Soucy (Beaudry), and Stefanie Hutchinson

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