

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, John Olubobokun's, Request for Particulars, dated October 30, 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 John Olubobokun 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. With respect to paragraph 47(a)(i)(1), particulars of the alleged punishment, including:
  - a. In addition to the named Plaintiff, Caitlin Erickson, the identity of others punished on that same occasion;
  - b. Specifically which of the named defendants, including John Olubobokun, punished which plaintiffs;
  - c. Where it is alleged that the plaintiffs were “stricken repeatedly on the buttocks”, how many times were each of the plaintiffs struck, and by whom?

**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. **John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 47(a)(i)(2), particulars of the allegation that the Defendant John Olubobokun was kicked out of Coy Nolin’s hospital room and that the Plaintiff Caitlin Erickson was subsequently spanked or paddled, including:
- a. Why is it that Coy Nolin was allegedly hospitalized?
  - b. Why was the Defendant John Olubobokun kicked out of Coy Nolin’s hospital room, and by whom?
  - c. When is it alleged that John Olubobokun demanded the identity of the nurse in question?
  - d. How many times were each of the plaintiffs struck, and by whom?

**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. **John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraph 47(a)(i)(3), further particulars including:
- a. Who allegedly directed punishment for “not trying hard enough” or “having an attitude”, and who administered the punishment and on how many occasions?
  - b. What year was the Plaintiffs (*sic*) Caitlin Erickson’s Grade 12 year and in what month did the occasions giving rise to corporal punishment take place?
  - c. Specifically regarding the occasions when the Plaintiff Caitlin Erickson was struck on the leg, causing her to limp:
    - i. Who allegedly inflicted the punishment on that occasion?
    - ii. When, and why, was that particular punishment allegedly inflicted upon Caitlin Erickson?

**Reply:**

**The Plaintiffs reply as follows:**

- a. **John Olubobokun carried out the assault and battery on Caitlin Erickson. It is entirely within his knowledge as to how many times he battered Caitlin Erickson while she was a minor in his care on the occasion referenced in this paragraph.**

- b. **Caitlin Erickson was in Grade 12 during the 2004-2005 school year.**
- c.
  - i. **For the incident in question, it was John Olubobokun who assaulted and battered Caitlin Erickson, striking her on the leg and causing her to limp.**
  - ii. **The incident in question occurred during Caitlin Erickson's Grade 12 year, which was the 2004-2005 school year. It is entirely within the knowledge of John Olubobokun, and unknown to the Plaintiffs, what justification he purports to have for having assaulted and battered Caitlin Erickson while she was a minor in his care on the occasion referenced in this paragraph. In any event, there is no materiality or relevance to why John Olubobokun assaulted and battered Caitlin Erickson while she was a minor in his care on the occasion referenced in this paragraph.**

**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. John Olubobokun has better knowledge of the particulars demanded by him (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraph 47(b)(i)(2), further particulars including:
  - a. Where, and in what month and year did the alleged corporal punishment take place?
  - b. Is the reference to a “spanking” intended to convey that the punishment was different from the other alleged incidents of corporal punishment wherein a paddle was used?

**Reply:**

**The Plaintiffs reply as follows:**

- a. **The assault and battery in question occurred in or about the 2003-2004 school year. Having administered the assault and battery of a minor it is entirely within the knowledge of John Olubobokun when he carried out the assault and battery of Coy Nolin who was minor in his care at the time.**

**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. **John Olubobokun has better knowledge of the particulars demanded by him (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraph 47(b)(i)(3), further particulars including:
- a. In what month and year did this alleged incident of corporal punishment take place?
  - b. How did the “revelation” of Coy Nolin’s homosexuality come about, and is that revelation merely coincidental to the timing of the alleged corporal punishment, or is there allegedly a causal connection between the revelation and the punishment?
  - c. Why, and upon whose invitation, were John and Simbo Olubobokun at Coy Nolin’s home?
  - d. What, if anything, gave rise to the alleged punishment at Coy Nolin’s home?
  - e. What did the defendant John Olubobokun allegedly use to inflict the paddling upon Coy Nolin?
  - f. How many times does the Plaintiff Coy Nolin claim to have been paddled on that occasion?
  - g. If a “paddle” was used, is it alleged that the defendant John Olubobokun, or some other defendant, brought the paddle to Coy Nolin’s home, or was the paddle already at the home?

**Reply:**

**The Plaintiffs reply as follows:**

- a. **The incident occurred during the period that John Olubobokun was a director at the School and while Coy Nolin was a student at the School. In any event, it is entirely within the knowledge of John Olubobokun as to when he assaulted and battered Coy Nolin, a minor who was in his care.**

**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. **John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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. **The entirety of the requested particulars is improper, serving absolutely no legitimate benefit to the pleadings in this action.**
  6. **The entirety of the requested particulars is frivolous, scandalous and an abuse of Court process, worthy of condemnation by the Court, and costs on an elevated basis.**
6. With respect to paragraph 47(b)(i)(4), further particulars including:
- a. The number, instances, and reasons why Coy Nolin was “struck in the area of the buttocks with a paddle”, and by whom, and on what dates?

**Reply:**

**The Plaintiffs reply as follows:**

**The incidents referenced in paragraph 47(b)(i)(4) of the Second Amended Statement of Claim occurred during the period spanning 1997 through 2004.**



**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. John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraph 47(b)(ii), further particulars including:
  - a. When, and where, and for what purpose, did the alleged exorcism take place?
  - b. Did Coy Nolin and/or a parent or guardian on his behalf, consent to the alleged exorcism, cooperate with or facilitate the alleged exorcism in any way?
  - c. What is the “physical contact” to which Coy Nolin alleges he was subject to during the course of the alleged exorcism.

**Reply:**

**The Plaintiffs reply as follows:**

- a. **The purported exorcism referenced at paragraph 47(b)(ii) of the Second Amended Statement of Claim is the same event referenced at paragraph 48(b)(i) of the Second Amended Statement of Claim.**
- b. **The requested particulars are wholly immaterial and irrelevant to the assault and battery carried out by John Olubobokun, Simbo Olubobokun, Garret Johnson (now Garrett Davis) and Avril Johnson, and serves no legitimate purpose to the pleadings in this action.**

**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. **John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraph 47(c) through 47(l.1), further particulars including:
  - a. Do any of these general allegations apply to the Defendant John Olubobokun and, if so,

- i. In respect to which of these incidents is it alleged that the Defendant, John Olubobokun, is responsible in any way and if so:
  1. The dates and particulars of each incident and each plaintiff;

**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. John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 47(m), further particulars including:
- a. Who among the plaintiffs alleges that this incident took place?
  - b. Is the plaintiff making the allegation the same person as “a student” referred to in the allegation?
  - c. When and where did the alleged incident take place?

- d. In what manner is it alleged that the defendant, John Olubobokun, directed Garrett Johnson to do anything and, in particular, what was Garrett Johnson being directed to do?

**Reply:**

**The Plaintiffs reply as follows:**

- a. **The Plaintiffs allege that the incident took place on their own behalf and on behalf of the Plaintiff Classes.**
- c. **The event occurred during the period that John Olubobokun was a director of the School.**

**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. John Olubobokun has better knowledge of the particulars demanded by him (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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)(v), further particulars including:
- a. Where and when did the interrogation of Caitlin Erickson take place, and what, if any, incident gave rise to the interrogation?
  - b. Was the alleged coercion effective insofar as the plaintiff Caitlin Erickson subsequently divulged information and, if so, what information was divulged?
  - c. Alternatively, if the Plaintiff Caitlin Erickson did not divulge any information, what information was she withholding (*sic*) for the apparent purpose of protecting “other students and minor adherents and congregants of the Church?”
  - d. Is the reference to “the Church” intended to distinguish these allegations from other allegations pertaining to the defendant John Olubobokun’s role in “the school”?

**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. John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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(b)(i), further particulars including:
- a. In what manner does the plaintiff Coy Nolin claim to have been “intimidated and coerced”?
  - b. Was the alleged intimidation and coercion successful in that the plaintiff felt obliged to reveal the identity of “the other student”?
  - c. If such alleged intimidation and coercion was unsuccessful, then what consequences, if any, resulted from the plaintiff’s effective resistance?
  - d. Was Coy Nolin in fact expelled from the school? If so, was the expulsion in writing, and who authorized his expulsion?
  - e. Did Coy Nolin contact any other student in respect to the alleged inquiries, and, if so, does he have any knowledge as to whether or not the plaintiff, John Olubobokun, contacted the police?
  - f. Is the description of John Olubobokun’s attendance at Coy’s home merely an elaboration of the allegations pertaining to an exorcism earlier referenced in paragraph 47(b)(i)(3) and 47(b)(ii), or is it alleged or implied that there may have been a second such incident?
  - g. Does Coy Nolin know what “special church” he was to be moved to in Edmonton and, if so, did he in fact attend the “special church”?
  - h. Do any of the other allegations set out in paragraph 48 pertain to the Defendant, John Olubobokun, or are the specific allegations naming the Defendant John Olubobokun a comprehensive enumeration of the allegations against him?
  - i. If the general allegations in paragraph 48 do pertain to the Defendant, John Olubobokun, in addition to the specific allegations in respect to which John Olubobokun is specifically named, then further particulars including:
    - i. Where, when, against whom, and in what manner is it alleged that the Defendant, John Olubobokun “...engaged in the intentional infliction of mental injury and conduct in the nature of trespass to the person, including psychological, mental, emotional and spiritual harm?”

**Reply:**

**The Plaintiffs reply as follows:**

- d. **Coy Nolin was, in fact, expelled from the School.**
- f. **The exorcism referenced at paragraph 48(b)(i) is one and the same exorcism as referenced at paragraph 47(b)(ii).**

**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. **John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 49, further particulars including:
- a. Where and when and why the incident alleged in subparagraph 49(a)(i) took place;
  - b. Do the general allegations otherwise enumerated in paragraph 49 pertain to the Defendant, John Olubobokun, in addition to the specific allegation in paragraph 49(a)(i) and, if so, where, when, against whom and under what circumstances is it alleged that the Defendant, John Olubobokun, “...used the threat of Physical Abuse and Non-Physical Abuse to intentionally inflict mental injury on, and intimidate

and coerce students of the School 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. John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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 paragraphs 50 through 77 of the Statement of Claim, further particulars, including:
- a. Any other word or deed, including alleged conspiracies, or simple neglect, attributable to the Defendant John Olubobokun, including particulars of when, where and against whom such actions or neglect pertained, along with the associated harms, whether physical, emotional, psychological or spiritual, suffered by each and every plaintiff.



**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. John Olubobokun has better knowledge of the particulars demanded by him** (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 John Olubobokun 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 John Olubobokun sufficient information to enable him 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.

**SCHARFSTEIN LLP**

Per:



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

## **CONTACT INFORMATION AND ADDRESS FOR SERVICE**

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