

**Form 6-5**  
(Subrule 6-5(1))

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 and ~~COY~~  
NOLIN

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, ELAINE  
SCHULTZ, CATHERINE RANDALL, KEVIN  
MACMILLAN, ANNE MACMILLAN, DAWN  
BEAUDRY, NATHAN SCHULTZ, AARON  
BENNEWEIS, DEIRDRE BENNEWEIS, STEPHANIE  
CASE, 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**

**NOTICE OF APPLICATION**

**NOTICE TO RESPONDENTS**

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where                      Court of King's Bench for Saskatchewan  
520 Spadina Crescent East  
Saskatoon, SK S7K 3G7

Date & Time    On a date and time to be fixed by the Honourable Justice N. Bardai.

*(Read the Notice at the end of this document to see what else you can do and when you must do it.)*

**Remedy claimed or sought:**

1. The Applicant/Defendant, John Olubobokun, applies for the following relief:
  - a. An Order pursuant to Rule 3-71 of *The King's Bench Rules* requiring the Respondents/Plaintiffs, Caitlin Erickson, Jennifer Soucy (Beaudry), and Stefanie Hutchinson (together, the "**Plaintiffs**"), to provide further and better responses to certain particulars requested by John Olubobokun in his Request for Particulars dated October 30, 2023 that are identified in **Schedule "A"** to this Notice of Application within 60 days of the date of the Order; and
  - b. An Order granting John Olubobokun the costs of this application.

**Grounds for making this application:**

2. John Olubobokun delivered his Request pursuant to the September 15, 2023 Order of the Honourable Justice N. Bardai (the "**September 15 Order**"). John Olubobokun's Request concerns the Second Amended Statement of Claim dated June 29, 2023 (the "**Claim**").
3. In response to John Olubobokun Request, the Plaintiffs delivered a Reply to Request for Particulars dated December 28, 2023 (the "**Reply to John Olubobokun**").
4. The Reply to John Olubobokun is deficient. Accordingly, John Olubobokun seeks an Order directing the Plaintiffs to provide him with further and better particulars to certain requests for particulars identified in Schedule "A" to this Notice of Application.
5. John Olubobokun is entitled to know the case against him. A key function of a statement of claim is to alert defendants to the case they are required to meet. The Claim does not alert John Olubobokun to the case that he must meet. Further, the Reply to John Olubobokun does not provide him with particulars that he requires to understand the case against him.

6. John Olubobokun is also entitled to particulars pertaining to the suitability of the within Action as a class action. In this regard, John Olubobokun is entitled to particulars that inform the certification criteria set out in s. 6(1) of *The Class Actions Act*, SS 2001, c C-12.01.

**Material or evidence to be relied on:**

In support of this application, the Defendant relies on the following documentation:

- (i) This Notice of Application together with Schedule “A” thereto, with proof of service;
- (ii) Brief of Law;
- (iii) Draft Order;
- (iv) The pleadings and proceedings had and taken herein; and
- (v) Such further and other material as counsel may advise and this Honourable Court may allow.

**Applicable rules:**


Rules 3-9, 3-71, 11-1, 13-8, and 13-9 of *The King’s Bench Rules*.

**Applicable Acts and Regulations:**

Sections 6(1), 40, and 44 of *The Class Actions Act*, SS 2001, c C-12.01.

DATED at Saskatoon, Saskatchewan, this 28<sup>th</sup> day of February, 2024.

**WARDELL GILLIS**

Per:   
DANIEL TANGJERD, Solicitor for the  
Applicant/ Defendant, John Olubobokun

**NOTICE**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Name of firm: Wardell Gillis  
Lawyer in charge of file: Daniel Tangjerd  
Address of legal firm: 2306 Arlington Avenue  
Saskatoon, SK S7J 3L3  
Telephone number: (306) 956-3338  
Fax number: (306) 956-2228  
Email address: dtangjerd@wardellaw.ca

**SCHEDULE "A"**

<b>Paragraph in Request for Particulars of John Olubobokun. dated October 30, 2023</b>	<b>Paragraph in Second Amended Statement of Claim dated June 29, 2023</b>
2	47(a)(i)(2)
3(a)	47(a)(i)(3)
3(c)	47(a)(i)(3)
5	47(b)(i)(3)
6	47(b)(i)(4)
7(b)	47(b)(ii)
7(c)	47(b)(ii)
8	47(c) through 47(l.1)
11	48(b)(i)
12	49
13	50 through 77

**SCHEDULE "A"**

<b>Legend</b>	<b>1</b>	Requested particulars are not matters of evidence and are properly demanded as particulars.
	<b>2</b>	Assertion that John Olubobokun has knowledge of the particulars requested is an insufficient response.
	<b>3</b>	Requested particulars are required by John Olubobokun to respond to the application for certification.
	<b>4</b>	Requested particulars are required by John Olubobokun to plead intelligently.
	<b>5</b>	Reply to John Olubobokun is only partially responsive or is otherwise deficient.

Paragraph(s) in Second Amended Statement of Claim	Request by JOHN OLUBOBOKUN and Response by Plaintiffs	Grounds for demanded particulars
<p><b>47(a)(i)(2)</b> One or two days following the incident described at paragraph 47(b)(i)(2), in response to Caitlin refusing to identify the nurse who had kicked John Olubobokun out from Coy Nolin's hospital room, John Olubobokun spanked or paddled Caitlin six times.</p>	<p><b>Request:</b></p> <p><b>2.</b> 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:</p> <p>a. Why is it that Coy Nolin was allegedly hospitalized?</p> <p>b. Why was the Defendant John Olubobokun kicked out of Coy Nolin's hospital room, and by whom?</p> <p>c. When is it alleged that John Olubobokun demanded the identity of the nurse in question?</p> <p>d. When did John Olubobokun allegedly spank or paddle Caitlin Erickson?</p>	<p>1, 2, 3, 4, 5</p>

	<p><b>Reply:</b></p> <ol style="list-style-type: none"> <li>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: <i>Prince Albert Co-Operative Assn. Ltd. v. Lyons</i>, [1984] S.J. No. 110).</li> <li>2. John Olubobokun has better knowledge of the particulars demanded by him (see: <i>Prince Albert Co-Operative Assn. Ltd. v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</li> <li>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</li> <li>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: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, (2022] SJ No 34).</li> </ol>	
<p><b>47(b)(i)(3)</b> when he was 15 years old, following revelation that Coy is homosexual, and at Coy's home, Coy was paddled by John Olubobokun with Simbo Olubobokun, Garrett Johnson (now Garrett Davis) and Avril Johnson observing as witnesses.</p>	<p><b>Request:</b></p> <ol style="list-style-type: none"> <li>5. With respect to paragraph 47(b)(i)(3), further particulars including: <ol style="list-style-type: none"> <li>a. In what month and year did this alleged incident of corporal punishment take place?</li> <li>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?</li> </ol> </li> </ol>	<p>1, 2, 3, 4, 5</p>

- 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).**



	<p><b>2. John Olubobokun has better knowledge of the particulars demanded by him</b> (see: <i>Prince Albert Co-Operative Assn. Ltd. v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</p> <p><b>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently</b> (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W. W.R. 293).</p> <p><b>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</b> (see: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</p> <p><b>5. The entirety of the requested particulars is improper, serving absolutely no legitimate benefit to the pleadings in this action.</b></p> <p><b>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.</b></p>	
<p><b>47(b)(i)(4)</b> numerous other instances where Coy was struck in the area of the buttocks with a paddle by some or all of the Individually Named Defendants, Unidentified Church Abusers and Unidentified School Abusers.</p>	<p><b>Request:</b></p> <p><b>6.</b> With respect to paragraph 47(b)(i)(4), further particulars including:</p> <p style="padding-left: 40px;">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?</p> <p><b>Reply:</b></p> <p><b>The Plaintiffs reply as follows:</b></p> <p><b>The incidents referenced in paragraph 47(b)(i)(4) of the Second Amended Statement of Claim occurred during the period spanning 1997 through 2004.</b></p>	<p>1, 2, 3, 4, 5</p>

	<p><b>In addition:</b></p> <ol style="list-style-type: none"> <li><b>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110).</li> <li><b>2. John Olubobokun has better knowledge of the particulars demanded by him</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</li> <li><b>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently</b> (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</li> <li><b>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</b> (see: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</li> </ol>	
<p><b>47(b)(ii)</b> subject to physical contact during a purported exorcism, by John Olubobokun, Simbo Olubobokun, Garrett Johnson (now Garrett Davis) and Avril Johnson.</p>	<p><b>Request:</b></p> <ol style="list-style-type: none"> <li><b>7. With respect to paragraph 47(b)(ii), further particulars including:</b> <ol style="list-style-type: none"> <li>a. When, and where, and for what purpose, did the alleged exorcism take place?</li> <li>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?</li> <li>c. What is the "physical contact" to which Coy Nolin alleges he was subject to during the course of the alleged exorcism?</li> </ol> </li> </ol>	<p>1, 2, 3, 4, 5</p>

	<p><b>Reply:</b></p> <p>The Plaintiffs reply as follows:</p> <p>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.</p> <p>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.</p> <p>In addition:</p> <p>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110).</p> <p>2. John Olubobokun has better knowledge of the particulars demanded by him (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</p> <p>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</p> <p>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: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</p>	
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<p><b>47(c) to 47(l.l)</b>  Students and minor adherents and congregants of the Church were physically struck by the individual Individually Named Defendants, Unidentified Church Abusers and Unidentified School Abusers either by hand or with a wooden paddle, as a disciplinary response to, among other things:</p> <ul style="list-style-type: none"> <li>i. Whispering during church service or class;</li> <li>ii. Talking back to teachers, teachers aids, school administrators, Church Elder, pastors, and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>iii. Showing disrespect to teachers, teachers aids, school administrators, Church Elders, pastors and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>iv. Disobeying directions of teachers, teachers aids, school administrators, Church Elders, pastors and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>v. Refusing to provide satisfactory answers to inquiries by employees, agents and representatives of Mile Two Church Inc., whether or not the member of the Plaintiff Class knew the answer, and whether or not it would be truthful to provide the answer;</li> <li>vi. Cheating or otherwise being dishonest, particularly to teachers, teachers aids, school administrators, Church Elders, pastors and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>vii. Being caught within six inches of a student or minor adherent or congregant of the Church who is of the opposite sex;</li> <li>viii. Telling jokes deemed inappropriate by the employees, agents or representatives of Mile Two Church Inc.;</li> </ul>	<p><b>Request:</b></p> <p><b>8.</b> With respect to paragraphs 47(c) through 47(1.1), further particulars including:</p> <p style="padding-left: 40px;">Do any of these general allegations apply to the Defendant John Olubobokun and, if so,</p> <p style="padding-left: 80px;">1. In respect to which of these incidents is it alleged that the Defendant, John Olubobokun, is responsible in any way, and if so:</p> <p>The dates and particulars of each incident and each plaintiff;</p> <p><b>Reply:</b></p> <p><b>The Plaintiffs reply as follows:</b></p> <p><b>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110).</p> <p><b>2. John Olubobokun has better knowledge of the particulars demanded by him</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</p> <p><b>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently</b> (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</p> <p><b>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</b> (see: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</p>	<p>1, 2, 3, 4, 5</p>
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- ix. Making gestures deemed inappropriate by the employees, agents or representatives of Mile Two Church Inc.;
  - x. For not crying during administration of corporal punishment;
  - xi. For wearing padding around the area of the buttocks while being subject to corporal punishment;
  - xii. Talking negatively about the School or Church;
  - xiii. Socializing with people who were not students at the School or members of the Church;
  - xiv. Not completing homework;
  - xv. Not telling Church and School leadership when purported wrongdoing was done by other students and minor adherents and congregants of the Church; and
  - xvi. On the mere allegation of any of the foregoing.
- d. A student was alleged to have cheated on some school work. The student was spanked as a form of discipline. When the student did not cry during the spanking, the student was told to pull down his pants. The student told the school administrator to “fuck off” and was subsequently expelled and excommunicated from the school and the church.
- e. A student refused to pray in front of her class, and was subject to spanking or paddling for the refusal;
- f. For not finishing assigned homework, Joel Hall took a student to the School office to be paddled three times, which occurred on each school day for a period of two months;

<p>g. Numerous students were subject to additional physical abuse by some or all of the Defendants, for not crying during administration of corporal punishment, which was stated to be a refusal to accept their punishment;</p> <p>h. Aaron Benneweis, a director of athletics at the School, engaged in sexual relationships with students and minor adherents and congregants of the Church;</p> <p>i. Other employees, agents and representatives of Mile Two Church Inc. engaged in sexual relationships with students and minor adherents and congregants of the Church;</p> <p>j. Employees, agents and representatives of Mile Two Church Inc. engaged in sexual fondling of students and minor adherents and congregants of the Church;</p> <p>k. Nathan Schultz, a worker of the Church, induced female minor adherents and congregants of the Church to, during Sunday School, to go with him to the bathroom where he would put candy on his penis and have the girl take the candy with her hands or mouth. On some occasions he cut the pockets out of his pants, and told the girls to reach into the pockets and “see what surprise I have for you”;</p> <p>K 1. Darcy Schuster, Children’s Director of the Church, and participant in children’s church on behalf of the Church, removed at least one minor adherent and congregant of the Church, during School, from class and took her to his office, where he would expose his penis to them and force them to perform fellatio on him. This reprehensible activity occurred several times over the minor adherents’ grade 3, 4 and 5 years.</p> <p>l. Joel Hall imposed repetitive physical tasks to students who, by reason of physical disability or learning disability were unable to achieve unreasonably high performance standards demanded of students in the School;</p>		
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<p>I.1 Forcing at least one student to go in the hallway and do a “wall sit” while holding a medicine ball for multiple hours as a punishment; and</p>		
<p><b>47(m)</b> At the direction of John Olubobokun, Garrett Johnson (now Garrett Davis) took a student to a bathroom and force forced him to remove his pants, so that his pants and underwear could be inspected for the presence of padding.</p>	<p><b>Request</b></p> <p><b>9.</b> With respect to paragraph 47(m), further particulars including:</p> <ul style="list-style-type: none"> <li>a. Who among the plaintiffs alleges that this incident took place?</li> <li>b. Is the plaintiff making the allegation the same person as "a student" referred to in the allegation?</li> <li>c. When and where did the alleged incident take place?</li> <li>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?</li> </ul> <p><b>Reply:</b></p> <p><b>The Plaintiffs reply as follows:</b></p> <ul style="list-style-type: none"> <li>a. <b>The Plaintiffs allege that the incident took place on their own behalf and on behalf of the Plaintiff Classes.</b></li> <li>b. <b>The event occurred during the period that John Olubobokun was a director of the School.</b></li> </ul> <p><b>In addition:</b></p>	<p>1, 2, 3, 4, 5</p>

	<p><b>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).</b></p> <p><b>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).</b></p> <p><b>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).</b></p> <p><b>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).</b></p>	
<p><b>48(a)(v).</b> The Individually Named Defendants, Unidentified School Abusers and Unidentified Church Abusers each 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 to the students at the School and minor adherents and congregants of the Church, including the Plaintiffs. Examples include:</p> <p>a. Particularly in the case of the Plaintiff Caitlin Erickson</p> <p>i. Interrogating Caitlin to coerce her to divulge information to provide a basis for John Olubobokun to beat other students and minor adherents and congregants of the Church with a paddle; and</p>	<p><b>Request:</b></p> <p><b>10.</b> With respect to paragraph 48(a)(v), further particulars, including:</p> <p>a. Where and when did the alleged interrogation of Caitlin Erickson take place, and what, if any, incident gave rise to the interrogation?</p> <p>b. Was the alleged coercion effective insofar as the plaintiff Caitlin Erickson subsequently divulged information and, if so, what information was divulged?</p> <p>c. Alternatively, if the Plaintiff Caitlin Erickson did not divulge any information, what information was she withholding for the apparent purpose of protecting "other students and minor adherents and congregants of the Church"?</p>	<p>1, 2, 4, 5</p>



	<p>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"?</p> <p><b>Reply:</b></p> <p>The Plaintiffs reply as follows:</p> <ol style="list-style-type: none"> <li>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110).</li> <li>2. John Olubobokun has better knowledge of the particulars demanded by him (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</li> <li>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</li> <li>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: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</li> </ol>	
<p><b>48(b)(i).</b> Particularly in the case of the Plaintiff Coy Nolin:</p> <p>i. In the spring of 2004, before church service at the Church, Coy was called in to John Olubobokun's office as principal,</p>	<p><b>Request:</b></p> <p><b>11.</b> With respect to paragraph 48(b)(i), further particulars including:</p>	<p>1, 2, 3, 4</p>

<p>in response to a rumor that Coy was engaged in a consensual sexual relationship with another male student. Garrett Johnson, now known as Garrett Davis, was present. John Olubobokun:</p> <ol style="list-style-type: none"> <li>1. intimidated and coerced Coy into revealing the identity of the other student;</li> <li>2. informed Coy that he was forbidden from returning to the School, without just cause;</li> <li>3. informed Coy that if he tried to contact any other student of the School, that he would call the police.</li> </ol>	<ol style="list-style-type: none"> <li>a. In what manner does the plaintiff Coy Nolin claim to have been "intimidated and coerced"?</li> <li>b. Was the alleged intimidation and coercion successful in that the plaintiff felt obliged to reveal the identity of "the other student"?</li> <li>c. If such alleged intimidation and coercion was unsuccessful, then what consequences, if any, resulted from the plaintiff's effective resistance?</li> <li>d. Was Coy Nolin in fact expelled from the school? If so, was the expulsion in writing, and who authorized his expulsion?</li> <li>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?</li> <li>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?</li> <li>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"?</li> <li>h. Do any of the other general 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?</li> </ol>	
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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).

	<p><b>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: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</b></p>	
<p><b>49.</b> The Individually Named Defendants, Unidentified School Abusers and Unidentified Church Abusers each 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, including the Plaintiffs. Examples include:</p> <p>a. Particularly in the case of the Plaintiff Caitlin Erickson:</p> <ul style="list-style-type: none"> <li>i. John Olubobokun screaming in the face of Caitlin while Caitlin was seated in his office;</li> <li>ii. Threatening physical abuse on a regular basis; and</li> <li>iii. Caitlin observed the School and Church selling paddles, and keeping paddles in plain view as intimidation and threat of future battery with the said paddles;</li> </ul> <p>(a.1) Particularly in the case of the Plaintiff, Jennifer Soucy (Beaudry):</p> <ul style="list-style-type: none"> <li>i. The inappropriate personal and intimate relationship and sexual touching by Aaron Benneweis was known to the Principal Defendants during the period that the abuse was occurring, and the Principal Defendants and some or all of the Individually Named Defendants, and Unidentified Parties discouraged Jennifer from reporting the abuse to police, encouraged Jennifer not to pursue criminal charges against Aaron Benneweis, and coerced Jennifer into lying to police about the nature and extent of the abuse;</li> </ul>	<p><b>Request:</b></p> <p>12. With respect to paragraph 49, further particulars, including:</p> <ul style="list-style-type: none"> <li>a. Where and when and why the incident alleged in subparagraph 49(a)(i) took place;</li> <li>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... "?</li> <li>c. 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... "?</li> </ul> <p><b>Reply:</b></p> <p><b>The Plaintiffs reply as follows:</b></p> <p><b>1. The particulars requested herein are matters of evidence not pleading and are discoverable through a Questioning in this matter (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110).</b></p>	<p>1, 2, 3, 4</p>

<p>(a.2) Particularly in the case of the Plaintiff, Stefanie Hutchinson:</p> <ul style="list-style-type: none"> <li>i. Being threatened by the Defendant Randy Donauer that she would be beaten with a wooden paddle if she and other students didn't "praise the Lord" more effusively by raising her hands, jumping up and down and singing louder;</li> <li>b. Berating, demeaning, degrading, dehumanizing, intimidating and harassing members of the Plaintiff Classes, including the Plaintiffs, for communicating with individuals excommunicated by the Church or School;</li> <li>c. Berating, demeaning, degrading, dehumanizing, intimidating and harassing members of the Plaintiff Classes, including the Plaintiffs, for allegedly exhibiting disrespect for teachers, teachers aids, school administrators, Church Elders, pastors and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>d. Berating, demeaning, degrading, dehumanizing, intimidating and harassing members of the Plaintiff Classes, including the Plaintiffs, for allegedly not abiding by all principles, teachings and purported obligations of imposed by the Church and School;</li> <li>e. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, for communicating with individuals excommunicated by the Church or School;</li> <li>f. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, for allegedly exhibiting disrespect for teachers, teachers aids, school administrators, Church Elders, pastors and other employees, agents and representatives of Mile Two Church Inc.;</li> <li>g. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, for allegedly not abiding by all principles, teachings and purported obligations of imposed by the Church and School;</li> </ul>	<p><b>2. John Olubobokun has better knowledge of the particulars demanded by him</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</p> <p><b>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently</b> (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</p> <p><b>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</b> (see: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</p>	
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- h. Berating, demeaning, degrading, dehumanizing, intimidating and harassing members of the Plaintiff Classes, including the Plaintiffs, for exhibiting or condoning homosexuality and homosexual behaviour;
- i. Berating, demeaning, degrading, dehumanizing, intimidating and harassing members of the Plaintiff Classes, including the Plaintiffs, for not condemning and demonstrating detestation of homosexuality and homosexual behaviour;
- j. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, if they did not divulge misconduct of other members of the Plaintiff Classes, including the Plaintiffs, their families, or other adherents and congregants of the Church;
- k. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, if they disclosed information deemed by the employees, agents, and representatives of Two Mile Church Inc., including the Principal Defendants, to be secrets kept secret;
- l. Threatening physical violence against members of the Plaintiff Classes, including the Plaintiffs, if they disclosed to others the particulars of discipline meted by the Defendants against the members of the Plaintiff Classes, including the Plaintiffs;
- m. Threatening excommunication or social isolation against members of the Plaintiff Classes, including the Plaintiffs, for deviating from the principles, teachings or obligations of the Church;
- n. Telling members of the Plaintiff Classes, including the Plaintiff, that they would be corporally punished at a specific or unspecified future date or time;
- o. Requiring students to stand in line to be corporally punished, while students ahead of them in line were being corporally punished;
- p. Selling and displaying paddles around the School and Church, as a threat of future physical abuse.; and

<p>q. Demeaning and humiliating a female child who had been sexually abused in her home, with public and private statements that the child had seduced her abuser, required “healing sessions” to “deliver her from the spirit of lust”, when the child was 4 to 6 years of age;</p> <p>all being abuse in the nature of trespass to the person, assault or battery and intentional infliction of mental injury.</p> <p>(the “Intimidation Abuse”)</p>		
<p><b>50. to 77.</b></p> <p><b>50.</b> The Intimidation Abuse constitutes a threat of physical, psychological, emotional, mental and spiritual harm to the members of the Plaintiff Classes, including the Plaintiffs together with the ability to immediately carry out the threat, and therefore constitutes assault. The harm caused to the Plaintiffs and Plaintiff Classes is serious, prolonged and rise above the ordinary annoyances, anxieties and fears that people living in society routinely accept.</p> <p><b>51.</b> Physical, psychological, emotional, mental and spiritual harm to the students at the School and minor adherents and congregants of the Church were foreseeable as a result of the Physical Abuse, Non-Physical Abuse, and Intimidation Abuse.</p> <p><b>52.</b> The Defendants knew of and intended, or were reckless or wilfully blind to the fact that, the Physical Abuse, Non-Physical Abuse, and Intimidation Abuse would cause harm to the students at the School and minor adherents and congregants of the Church, including the members of the Plaintiff Classes.</p> <p><b>53.</b> Members of the Plaintiff Classes, including the Plaintiffs, were physically, sexually, psychologically, mentally, emotionally and spiritually traumatized by their experiences, and particularly the Physical Abuse, Non-</p>	<p><b>Request:</b></p> <p>13. With respect to paragraphs 50 through 77 of the Statement of Claim, further particulars, including:</p> <p style="padding-left: 40px;">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.</p> <p><b>Reply:</b></p> <p><b>The Plaintiffs reply as follows:</b></p> <p><b>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).</b></p>	<p>1, 2, 3, 4, 5</p>

<p>Physical Abuse and Intimidation Abuse during their attendance at the School and the Church.</p> <p><b>54.</b> The Physical Abuse, Non-Physical Abuse, and Intimidation Abuse were calculated to produce harm, and did, in fact, produce physical, emotional, psychological, mental injury and spiritual harm to members of the Plaintiff Classes, including the Plaintiffs, including but not limited to:</p> <ul style="list-style-type: none"> <li>a. immediate pain and suffering which is, <i>per se</i>, compensable;</li> <li>b. lasting and significant pain and suffering;</li> <li>c. isolation from friends and family;</li> <li>d. impairment of self-worth, confidence and self esteem;</li> <li>e. fear and intimidation;</li> <li>f. psychological disorders including, but not limited to, paranoia, apathy, melancholy, dissociative state, depression, anxiety, and suicidal ideation;</li> <li>g. self harm;</li> <li>h. post traumatic stress disorder;</li> <li>i. impairment of the ability to express emotions in a normal and healthy manner;</li> <li>i.1 stifling of empathy and capacity for empathy;</li> <li>i.2 rigidity and obsessiveness;</li> <li>i.3 inappropriate feelings of affection for their abuser(s);</li> <li>i.4 propensity for domestic violence;</li> </ul>	<ul style="list-style-type: none"> <li><b>2. John Olubobokun has better knowledge of the particulars demanded by him</b> (see: <i>Prince Albert Co-Operative Assn. Ltd v. Lyons</i>, [1984] S.J. No. 110 and <i>Canadian Imperial Bank of Commerce v. Todd</i>, [1987] S.J. No. 703).</li> <li><b>3. The particulars demanded are not reasonably required by John Olubobokun in order to plead intelligently</b> (see: <i>Saskatchewan Provincial Court Judges Assn. v. Saskatchewan (Minister of Justice)</i>, [1994] 9 W.W.R. 293).</li> <li><b>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</b> (see: <i>Wasserman v Saskatchewan (Minister of Highways and Infrastructure)</i>, 2022 SKQB 17, [2022] SJ No 34).</li> </ul>	
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<ul style="list-style-type: none"> <li>j. impairment of the ability to control anger and rage;</li> <li>k. impairment of personal identity;</li> <li>l. impairment of sexual identity and expression;</li> <li>m. impairment of the ability to trust individuals in positions of authority;</li> <li>m.1 inappropriate subservience to authority;</li> <li>n. difficulties in parenting, and maintaining positive relationships;</li> <li>o. substance abuse and a propensity for substance abuse;</li> <li>p. impairment of the ability to enjoy and participate in recreational, social, athletic, employment and education activities;</li> <li>q. inability to complete or pursue their education;</li> <li>r. deprivation of the love and guidance of parents, siblings, family members and friends;</li> <li>s. impairment of capacity to function in the work place and earn income; and</li> <li>t. the need for past and ongoing psychological, psychiatric, medical and spiritual treatment for illnesses and other disorders resulting from the Physical Abuse, Non-Physical Abuse and Intimidation Abuse. (the "Harms")</li> </ul> <p><b>55.</b> The conduct of the Defendants caused the members of the Plaintiff Classes, including the Plaintiffs, to blame themselves for the abuse endured at the hands of the Defendants.</p>		
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**56.** Members of the Plaintiff Classes, including the Plaintiffs, lived in fear and anxiety during their attendance at the School and the Church, and for years after, as a consequence of the conduct of the Defendants, for which the Defendants are in law responsible.

**57.** The Harms were each intended, foreseeable and expected consequences of the wrongful acts of the Defendants, or unintended but foreseeable and expected consequences for which the Defendants were wilfully blind.

**58.** The foreseeable and expected consequences of the wrongful acts of the Defendants amount to the Defendants having intentionally inflicted mental harm on the members of the Plaintiff Classes, including the Plaintiffs.

**59.** The Physical Abuse, Non-Physical Abuse and Intimidation Abuse all amount to trespass to the person, for which the Defendants are liable.

**60.** The Defendants conspired to inflict harm to the students of the School and minor adherents and congregants of the Church, by lawful and unlawful means of the Physical Abuse, Non-Physical Abuse, and Intimidation Abuse.

**61.** The Physical Abuse, Non-Physical Abuse, and Intimidation Abuse were carried out by the Defendants for a common purpose of carrying out the policies and procedures of the School, Church and other objects of Mile Two Church Inc., including but not limited to those set out above at paragraph 42.

**62.** The Defendants, including the Ministry for its actions and failures as set out herein, are liable for conspiracy to harm by lawful and unlawful means.

**63.** Mile Two Church Inc. and its directors and officers, including the Unidentified Corporate Officers and Unidentified Elders, created conditions in which the Individually Named Defendants, Unidentified School Abusers, Unidentified School Abuse Planners, Unidentified Church Abusers, and Unidentified Church Abuser Planners could, and would, perpetrate the

Physical Abuse, Non-Physical Abuse and Intimidation Abuse, and failed to adequately supervise the employees, agents and representatives to ensure the safety of the students of the School or minor adherents and congregants of the Church.

**64.** The Physical Abuse, Non-Physical Abuse and Intimidation Abuse were carried out by employees, agents and representatives of Mile Two Church Inc. on the direction of and with the knowledge and approval of the directors and officers of Mile Two Church Inc.

**65.** Mile Two Church Inc. is vicariously liable for the wrongdoing of its employees, agents, and representatives including the Individually Named Defendants, and Unidentified Parties.

**66.** Each of the Defendants owed a duty of care to the members of the Plaintiff Classes, including the Plaintiffs, as children in their care and supervision.

**67.** Mile Two Church Inc., the Individually Named Defendants, the Principal Defendants, the Unidentified Corporate Officers, Unidentified Elders and the Ministry breached the standard of care owed to the members of the Plaintiff Classes, including the Plaintiffs, by, among other things:

- a. failing to have in place any, or adequate, systems to protect the members of the Plaintiff Classes from physical, sexual, psychological, emotional, mental or spiritual abuse while attending the School or participating in activities of the Church;
- b. failing to adequately supervise or train the employees, agents and representatives of Mile Two Church Inc., including each of the other Defendants;
- c. failing to provide a safe and secure school or church environment to the members of the Plaintiff Classes which was free of physical, sexual, psychological, emotional, mental or spiritual abuse, particularly abuse

<p>perpetrated by employees, agents and representatives of Mile Two Church Inc.; and</p> <p>d. failing to report to appropriate authorities children in need of protection;</p> <p>e. failing to comply with statutory, regulatory and other requirements of an independent school pursuant to <i>The Education Act, 1995</i>, SS 1995 c E- 0.2, <i>The Registered Independent Schools Regulations</i>, RSS c E-0.2 Reg 27, and their respective predecessors;</p> <p>f. failing to have a system by which members of the Plaintiff Classes, including the Plaintiffs, could raise complaints or concerns to be addressed;</p> <p>g. failing to provide any, or adequate, treatment or resources to members of the Plaintiff Classes, including the Plaintiffs, known to them to have been harmed by the Physical Abuse, Non-Physical Abuse, Intimidation Abuse;, and the abuse in the nature of trespass to the person;</p> <p>h. failing to provide any, or adequate, remedial training to the employees, agents and representatives of Mile Two Church Inc. who were known to them to have engaged in the Physical Abuse, Non-Physical Abuse, Intimidation Abuse, and the abuse in the nature of trespass to the person;</p> <p>i. failing to report the Physical Abuse, Non-Physical Abuse and Intimidation Abuse to the Minister responsible for education, the Ministry of Education, or the Government of Saskatchewan;</p> <p>j. actively encouraging commission of the Physical Abuse, Non-Physical Abuse, Intimidation Abuse and abuse in the nature of trespass to the person by the employees, agents and representatives of Mile Two Church Inc.;</p> <p>k. encouraging and/or requiring parents of the members of the Plaintiff Classes, including the Plaintiffs, to commit physical, psychological, emotional, mental and spiritual abuse of children outside of the School</p>		
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<p>and Church; and</p> <p>i. failing to discourage and denounce the Physical Abuse, Non-Physical Abuse, Intimidation Abuse and abuse in the nature of trespass to the person perpetrated by other Defendants when they had knowledge of such abuse occurring.</p> <p><b>68.</b> Each of the Defendants breached the standard of care owed to the members of the Plaintiff Classes, including the Plaintiffs, by, among other things:</p> <p>a. intentionally causing physical, sexual, psychological, emotional, mental and spiritual harm to the members of the Plaintiff Classes, including the Plaintiffs;</p> <p>b. causing physical, sexual, psychological, emotional, mental and spiritual harm to the members of the Plaintiff Classes, including the Plaintiffs by inattention or neglect;</p> <p>c. failing to exercise due care and attention to ensure that their conduct did not cause physical, sexual, psychological, emotional, mental or spiritual harm;</p> <p>d. failing to observe and prevent the Physical Abuse, Non-Physical Abuse and Intimidation Abuse perpetrated by other Defendants;</p> <p>e. failing to report to appropriate authorities children in need of protection, as required by <i>The Child and Family Services Act</i>, SS 1989-90 c C-7.2, and its predecessors;</p> <p>f. failing to discourage and denounce the Physical Abuse, Non-Physical Abuse and Intimidation Abuse perpetrated by other Defendants when they had knowledge of such abuse occurring;</p> <p>g. promoting and advocating for members of the Church to engage specific individuals as babysitters, knowing that some or all of the individuals were</p>		
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not qualified, and knowing or wilfully blind or indifferent as to whether the individuals had, and continued to, abuse children while they were babysitting; and

h. promoting and advocating for members of the Church to engage only other members of the Church for services, knowing or wilfully blind or indifferent as to whether the individuals were unqualified and had, and continued to, commit wrongful acts described herein.;

i. failing to comply with statutory, regulatory and other requirements of an independent school pursuant to *The Education Act, 1995*, SS 1995 c E-0.2, *The Registered Independent Schools Regulations*, RSS c E-0.2 Reg 27, and their respective predecessors;

j. failing to report the Physical Abuse, Non-Physical Abuse and Intimidation Abuse to the Minister responsible for education, the Ministry of Education, or the Government of Saskatchewan;

k. actively encouraging commission of the Physical Abuse, Non-Physical Abuse, Intimidation Abuse and abuse in the nature of trespass to the person by the employees, agents and representatives of Mile Two Church Inc.; and

l. encouraging and/or requiring parents of the members of the Plaintiff Classes, including the Plaintiffs, to commit physical, psychological, emotional, mental and spiritual abuse of children outside of the School and Church.

**69.** The members of the Plaintiff Classes, including the Plaintiffs, suffered the Harms described herein as a result of the Defendants' breaches of the standard of care.

**70.** The Defendants are therefore liable to the members of the Plaintiff Classes for negligence.

**71.** The Defendants, as principals, teachers, pastors and elders, School, and responsible Government employees, agents and representatives stood in a position of authority and total control over the members of the Plaintiff Classes, including the Plaintiffs, who were children in their care and supervision. The members of the Plaintiff Classes, including the Plaintiffs, were subject to the unilateral exercise of the Defendants' power or discretion.

**72.** The members of the Plaintiff Classes, including the Plaintiffs, were in a position of dependence, trust and reliance on the Plaintiffs Defendants.

**73.** The Defendants therefore owed a fiduciary duty to the members of the Plaintiff Classes, including the Plaintiffs.

**74.** By the conduct set out herein, the Defendants breached their fiduciary duty to the members of the Plaintiff Classes, including the Plaintiffs.

**75.** Mile Two Church Inc. is vicariously liable for the conduct of the Defendants described herein.

**75.1** The Ministry is liable for misfeasance in public office for the conduct described herein.

**76.** The Physical Abuse, Non-Physical Abuse, and Intimidation Abuse were carried out against the members of the Plaintiff Classes, including the Plaintiffs, as a pattern of pervasive, systematic abuse of vulnerable children by the Defendants as a central tenet of the beliefs, faith and lifestyle promoted by Mile Two Church Inc. and the Principal Defendants.

**76.1** The Defendants are liable to the Plaintiff Classes, including the Plaintiffs, for trespass to the person, assault, battery and intentional infliction of mental suffering for the conduct described herein.

**76.2** The Defendants are liable to the Plaintiff Classes, including the Plaintiffs, for conspiracy to injure and conspiracy to injure by unlawful means for the conduct described herein.

<p><b>77.</b> The Physical Abuse, Non-Physical Abuse, and Intimidation Abuse are depraved, abhorrent, reprehensible, and malicious conduct by the Defendants, acting individually and together, to inflict harm upon children. Such conduct warrants deterrence, denunciation, and approbation by the Court, by way of punitive, aggravated and exemplary damages.</p>		
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