

**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

**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 Defendant, Kevin MacMillan (“Mr. MacMillan”), requests that the Plaintiffs provide further and better particulars of the Second Amended Statement of Claim (“Amended Claim”) dated June 29, 2023, as further set out at Schedule “A”.

**Grounds for making this application:**

2. On October 31, 2023 Mr. MacMillan delivered a request for particulars to the Plaintiffs, a response to which was provided on December 28, 2023.
3. The response to particulars provided by the Plaintiffs is deficient. Accordingly, Mr. MacMillan brings this application for further and better particulars with respect to each of the particulars previously requested.
4. Like all defendants, Mr. MacMillan is entitled to know the case he must meet and requires further particulars in order to understand the allegations that have been made against him, including in relation to the suitability of this action to proceed as a class action.

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

5. This Notice of Application together with Schedule “A”, with proof of service.
6. The pleadings and proceedings had and taken herein.
7. Such further and other material as counsel may advise and this Honourable Court may allow.

**Applicable rules:**

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

**Applicable Acts and Regulations:**

9. 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.

**ROBERTSON STROMBERG LLP**

Per:   
Jared D. Epp, Solicitor for the Defendant,  
Kevin MacMillan

**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.

This *Notice of Application* delivered by:

**ROBERTSON  
STROMBERG**

**ROBERTSON STROMBERG LLP**

Barristers & Solicitors  
Suite 600, 105 – 21<sup>st</sup> Street East  
Saskatoon, SK S7K 0B3

Lawyer in Charge of file: Jared D. Epp  
Direct Line: (306) 933-1326  
Facsimile: (306) 652-2445  
E-Mail: j.epp@rslaw.com

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, DEIDRE BENNEWEIS, STEPHANIE  
CASE, DARCY SCHUSTER, RANDY DONAUER, JOHN  
THURINGER, MILE TWO CHURCH INC., THE  
GOVERNMENT OF SASKATCHEWAN, JOHN DOES  
and JANE DOES

### **REQUEST FOR PARTICULARS OF KEVIN MACMILLAN**

TAKE NOTICE that pursuant to Rule 3-71 of *The King's Bench Rules*, the Defendant, Kevin MacMillan ("Kevin"), requests that the Plaintiffs provide further and better particulars of the Second Amended Statement of Claim ("Amended Claim") dated June 29, 2023, as follows:


1. With respect to paragraphs 31(a) and 70 of the Amended Claim, particulars of any incident of alleged negligence, alleged gross negligence, alleged breach of any duty of care, and any alleged harm committed by Kevin, including the:
  - a. Names of the alleged victims;

- b. Location of the incident(s); and
  - c. Time frames and dates on which the alleged conduct occurred.
2. With respect to paragraphs 31(a) and 73-74 of the Amended Claim, particulars of any incident of alleged breach of fiduciary duty committed by Kevin, including the:
  - a. Names of the alleged victims;
  - b. Location of the incident(s); and
  - c. Time frames and dates on which the alleged conduct occurred.
3. With respect to paragraph 31(a) of the Amended Claim, particulars of any incident of alleged assault and/or battery committed by Kevin, including:
  - a. Names of the alleged victims;
  - b. Location of the incident(s); and
  - c. Time frames and dates on which such alleged conduct occurred.
4. With respect to paragraph 31(a) of the Amended Claim, particulars of any incident of alleged infliction of mental suffering committed by Kevin, including:
  - a. Names of the alleged victims;
  - b. Location of the incident(s); and
  - c. Time frames and dates on which such alleged conduct occurred.
5. With respect to paragraph 31(a) of the Amended Claim, particulars of any incident of alleged conspiracy to injure students involving Kevin, including:
  - a. Names of the alleged victims;
  - b. Location of the incident(s);

- c. Time frames and dates on which such alleged conduct occurred; and
  - d. Names of alleged co-conspirators.
6. With respect to paragraphs 45 and 46 of the Amended Claim, particulars of the alleged incidents of corporal punishment allegedly observed by Kevin, including the:
  - a. Names of the alleged victims;
  - b. Location of the incident(s); and
  - c. Time frames and dates on which such alleged conduct occurred.
7. With respect to paragraphs 47 and 48 of the Amended Claim, particulars of Kevin's alleged abuse in regard to trespass to the person, intentional infliction of mental injury, physical or sexual assault and/or battery of students, minor adherents and congregants of the Church, including the:
  - a. Names of the alleged victims;
  - b. Location of the incident(s); and
  - c. Time frames and dates on which such alleged conduct occurred.
8. With respect to paragraphs 49 and 60-62 of the Amended Claim, particulars of Kevin's alleged conspiracy and/or use of the threat of Physical Abuse and Non-Physical Abuse to intentionally inflict mental injury on, and intimidate and coerce students, minor adherents and congregants of the Church, including the:
  - a. Names of the alleged victims;
  - b. Location of the incident(s);
  - c. Time frames and dates on which such alleged conduct occurred; and
  - d. The identity of any alleged co-conspirators.

DATED at Saskatoon, Saskatchewan, this 31st day of October, 2023.

**ROBERTSON STROMBERG LLP**

Per:   
\_\_\_\_\_  
Jared D. Epp,  
Solicitor for the Defendants  
Kevin MacMillan and Anne MacMillan

This *Request for Particulars* delivered by:

**ROBERTSON  
STROMBERG**

**ROBERTSON STROMBERG LLP**

Barristers & Solicitors  
Suite 600, 105 – 21<sup>st</sup> Street East  
Saskatoon, SK S7K 0B3

Lawyer in Charge of file: Jared D. Epp  
Direct Line: (306) 933-1326  
Facsimile: (306) 652-2445  
E-Mail: [j.epp@rslaw.com](mailto:j.epp@rslaw.com)