

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 Applicant/Defendant, Lou Brunelle 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 Lou Brunelle in his Request for Particulars dated October 18, 2023 ("**the Request**") 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 Lou Brunelle the costs of this application.

Grounds for making this application:

2. Lou Brunelle delivered the Request pursuant to the September 15, 2023 Order of the Honourable Justice N. Bardai. The Request concerns the Second Amended Statement of Claim dated June 29, 2023 (the "**Claim**").
3. In response to the Request, the Plaintiffs delivered a Reply to Request for Particulars dated December 28, 2023 (the "**Reply to Lou Brunelle**").
4. The Reply to Lou Brunelle is deficient. Accordingly, Lou Brunelle 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. Lou Brunelle 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 Lou Brunelle to the case that he must meet. Further, the Reply to Lou Brunelle does not provide Lou Brunelle with particulars that he requires to understand the case against him.
6. Lou Brunelle is also entitled to particulars pertaining to the suitability of the within Action as a class action. In this regard, Lou Brunelle 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:

7. This Notice of Application together with Schedule "A" thereto, with proof of service;
8. Draft Order;
9. Brief of Law;
10. The pleadings and proceedings had and taken herein; and
11. Such further and other material as counsel may advise and this Honourable Court may allow.

Applicable rules:

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

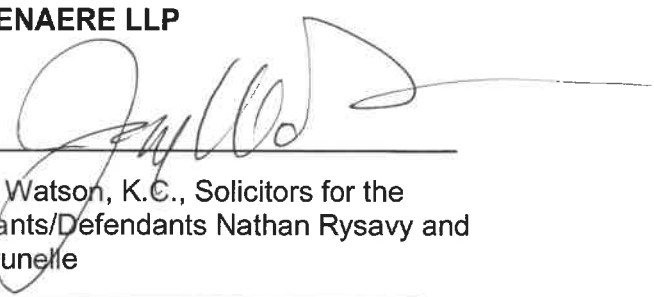
Applicable Acts and Regulations:

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

DATED at Saskatoon, Saskatchewan, this 28th day of February, 2024.

CUELENAERE LLP

Per: _____


Jay D. Watson, K.C., Solicitors for the
Applicants/Defendants Nathan Rysavy and
Lou Brunelle

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: Cuelenaere LLP
Name of Lawyer in charge of file: Jay D. Watson, K.C.
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SCHEDULE A

1. With respect to paragraphs 45 and 46 of the Claim, particulars of the alleged incidents of corporal punishment allegedly observed by Lou Brunelle, including the:
 - (a) Frequency;
 - (b) Location;
 - (c) Dates on which such alleged conduct was observed; and
 - (d) The names of the alleged victims.

2. With respect to paragraphs 47 and 48 of the Claim, particulars of Lou Brunelle'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) Frequency;
 - (b) Location;
 - (c) Dates on which such alleged conduct was observed; and
 - (d) The names of the alleged victims.

3. With respect to paragraph 49 of the Claim, particulars of Lou Brunelle's alleged 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) Frequency;
 - (b) Location;
 - (c) Dates on which such alleged conduct was observed; and
 - (d) The names of the alleged victims.

4. With respect to paragraph 49 of the Claim, particulars of Lou Brunelle's alleged direction of employees, agents and representatives of the church to carry out physical abuse, non-physical abuse and intimidation abuse, including the:
 - (a) Frequency;
 - (b) Location;
 - (c) Dates on which such alleged conduct was observed; and
 - (d) The names of the alleged victims.

5. With respect to paragraph 63 of the Claim, particulars of instances in which Lou Brunelle failed to supervise the employees, agents and representatives to ensure the safety of the students at the school and minor adherents and congregants of the church, including the:
 - (a) Frequency;
 - (b) Location;
 - (c) Dates on which such alleged conduct was observed; and
 - (d) The names of the alleged victims.