

**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 GOY 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, Nathan Rysavy 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 Nathan Rysavy 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 Nathan Rysavy the costs of this application.

**Grounds for making this application:**

2. Nathan Rysavy 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 Nathan Rysavy**").
4. The Reply to Nathan Rysavy is deficient. Accordingly, Nathan Rysavy 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. Nathan Rysavy 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 Nathan Rysavy to the case that he must meet. Further, the Reply to Nathan Rysavy does not provide Nathan Rysavy with particulars that he requires to understand the case against him.
6. Nathan Rysavy is also entitled to particulars pertaining to the suitability of the within Action as a class action. In this regard, Nathan Rysavy 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 28<sup>th</sup> 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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Fax number: 306-652-4171  
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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 Nathan Rysavy, 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 Nathan Rysavy'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 Nathan Rysavy'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 Nathan Rysavy'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 Nathan Rysavy 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.