

**IN THE COURT OF APPEAL FOR SASKATCHEWAN
ON APPEAL FROM THE COURT OF KING'S BENCH
JUDICIAL CENTRE OF SASKATOON**

QBG-SA-00766-2022

BETWEEN:

CAITLIN ERICKSON, JENNIFER SOUCY (BEAUDRY)
and STEFANIE HUTCHINSON

APPELLANTS
(PLAINTIFFS)

AND:

KEITH JOHNSON, JOHN OLUBOBOKUN, KEN SCHULTZ,
NATHAN RYSAVY, DUFF FRIESEN, LYNETTE WEILER, JOEL
HALL, LOU BRUNELLE, JAMES RANDALL, KEVIN 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

RESPONDENTS
(DEFENDANTS)

Brought under *The Class Actions Act*, SS 2001 c C-12.01

NOTICE OF APPEAL

TAKE NOTICE:

1. THAT Caitlin Erickson, Jennifer Soucy (Beaudry) and Stefanie Hutchinson, the above-named Appellants, hereby appeal to the Court of Appeal from the judgment of the Honourable Justice R.C. Wempe dated June 3rd, 2025.
2. THAT the whole of the judgment is being appealed.
3. THAT the source of the Appellants' right of appeal and the court's jurisdiction to entertain the appeal is:
 - (a) Section 7(2)(a) of *The Court of Appeal Act*, 2000, SS 2000, c C-42.1.

(b) Section 10 of *The Court of Appeal Act, 2000*, SS 2000, c C-42.1.

4. THAT the appeal is taken upon the following grounds:

- (a) The Chambers Judge erred in fact and law in finding that the Plaintiffs committed an abuse of process. In particular and without limiting the generality of the foregoing:
 - (i) The Chambers Judge erred in law in determining that the immediate disclosure rule for settlement agreements applies in Saskatchewan;
 - (ii) The Chambers Judge erred in law and/or mixed fact and law in determining that the settlement agreements “changed entirely the litigation landscape”; and
 - (iii) The Chambers Judge erred in law in determining that the legal test for an abuse of process could be met without a finding of prejudice.
- (b) The Chambers Judge erred in principle, amounting to an error of law, in determining that the settlement agreements entirely changed the litigation landscape in an absence of evidence to support this finding;
- (c) The Chambers Judge erred in law in determining that a stay of the proceedings was the only available remedy;
- (d) The Chambers Judge erred in law and/or mixed fact and law in determining that the action could be stayed for an abuse of process in the absence of prejudice;
- (e) The Chambers Judge erred in principle and improperly fettered her discretion, amounting to an error of law, in determining that she was required to follow extra-provincial jurisprudence that is not binding on the Court.

5. THAT the Appellants request the following relief:

- (a) An Order setting aside the Judgment of Justice Wempe dated June 3, 2025;
- (b) An Order dismissing the application in the lower Court;
- (c) Costs of the Appeal and costs of the application in the Court below.

6. THAT the Appellants request that this appeal be heard at Saskatoon.

DATED at Saskatoon, Saskatchewan this 9th day of June, 2025.

SCHARFSTEIN LLP

Per: 

Grant J. Scharfstein K.C., Solicitor for the
Appellants, Caitlin Erickson, Jennifer Soucy
(Beaudry) and Stefanie Hutchinson

TO: RESPONDENTS

TO: REGISTRAR
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File number:	21,835.1