

COURT FILE NUMBER: **QBG-SA-00766-2022**

COURT OF KING'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE: **SASKATOON**

PLAINTIFFS: **CAITLYN ERICKSON 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
BY THE GOVERNMENT OF SASKATCHEWAN

TAKE NOTICE THAT pursuant to Rules 3-71, 13-8, 13-9 and 13-12 of *The Queen's Bench Rules*, the Defendant, the Government of Saskatchewan [Saskatchewan], requests the Plaintiffs provide further and better particulars of the Amended Statement of Claim [Claim] dated December 12, 2022, as follows:

1. With respect to paragraphs 44.1 to 44.16 of the Claim, please state the following:
 - a) The provisions of *The Education Act, 1995*, SS 1995, c E-0.2, if any, that the Plaintiffs say required the Ministry of Education [Ministry] to inspect or supervise the School;
 - b) The provisions of *The Education Regulations, 2019*, c E-0.2 Reg 29, if any, that the Plaintiffs say required the Ministry to inspect or supervise the School;
 - c) The provisions of *The Registered Independent School Regulations*, c E-0.2 Reg 27, if any, that the Plaintiffs say required the Ministry to inspect or supervise the School; and

- d) The provisions of any other enactment, including any predecessor enactment, that the Plaintiffs say required the Ministry to inspect or supervise the School.
2. With respect to paragraphs 44.21 to 44.24 of the Claim, please state the provisions of any enactment the Plaintiffs rely upon to ground the alleged fiduciary duty owed to them and the Plaintiff Classes by the Ministry.
 3. With respect to paragraphs 44.23 and 44.25 of the Claim, please state how the Plaintiffs and Plaintiff Classes were in a relationship of financial, emotional, physical and/or other dependency with the Ministry, and in a relationship “akin to that of a guardian-ward and/or parent and child”.
 4. With respect to paragraphs 31.h., 44.17, and 44.20 of the Claim, please identify which individuals are alleged to have committed the tort of misfeasance in public office, including when and how the misfeasance was committed.
 5. With respect to paragraphs 58 and 59 of the Claim, please advise if the torts of intentional infliction of mental harm or trespass to the person are alleged against the Ministry, and if so, please provide particulars of same.
 6. With respect to paragraphs 60-62 of the Claim, please particularize the conspiracy the Ministry is alleged to have been involved in, including:
 - a) Who is alleged to have been involved from the Ministry?
 - b) Who else is alleged to have been involved?
 - c) What was done in furtherance of the alleged conspiracy, by whom and when?
 7. With respect to paragraph 67 of the Claim, please advise which allegations are directed toward the Ministry.

8. With respect to paragraph 68 of the Claim, please advise which allegations, if any, are directed toward the Ministry.
9. With respect to the remedies requested at paragraph 31.a. of the Claim, please advise which of the listed causes of action are alleged against Saskatchewan, and on behalf of whom.
10. Please state the provisions of *The Limitations Act*, SS 2004, c L-16.1, if any, that the Plaintiffs rely upon with respect to their claims against Saskatchewan, and the facts grounding their reliance on same.
11. To the extent not referenced in the Claim or in response to any of the above requests, please state the enactments and provisions, where possible, that the Plaintiffs and Plaintiff Classes rely upon with respect to their claims against Saskatchewan.

DATED at Regina, Saskatchewan, on February 28th, 2023.

Deputy Attorney General and
Deputy Minister of Justice

Per:



Michael J. Morris, K.C. and Jared G. Biden
Counsel for the Defendant,
Government of Saskatchewan

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