

Court File No. 54248/13

ONTARIO

SUPERIOR COURT OF JUSTICE

BETWEEN:

[REDACTED] and [REDACTED] and [REDACTED]

Plaintiffs

- and -

FAMILY YOUTH AND CHILD SERVICES OF MUSKOKA, ANDREA BEATTY,  
RENNE LEFEBVRE, BONNIE GREER, MARTY RUTLEDGE, JOAN WADELL,  
JEAN PIERRE ARSENAULT, LISA GREGORY, LISA BARDWICH, WENDY  
SHIRTLIFF, NANCY PRICE and LOUISE HELIE-MASTERS

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the plaintiffs. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service, in this court office, WITHIN TWENTY DAYS after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$1381.00 for costs, within the time for serving and filing your statement of defence you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and \$400 for costs and have the costs assessed by the court.

**Original signed by**  
**"Tammy Jastrubeck"**

Date FEBRUARY 22, 2013

Issued by \_\_\_\_\_

Local registrar  
59 Church Street  
St. Catherines, ON  
L2R 7N8

To: FAMILY YOUTH AND CHILD SERVICES OF MUSKOKA  
BRO# 119222297RR0001  
49 Pine Street, Bracebridge, Ontario, P1L 1K8

AND TO: ANDREA BEATTY  
AND: RENNE LEFEBVRE  
AND: BONNIE GREER  
AND: MARTY RUTLEDGE  
AND: JOAN WADELL  
AND: JEAN PIERRE ARSENAULT  
AND: LISA GREGORY  
AND: LISA BARDWICH  
AND: WENDY SHIRTLIFF  
AND: NANCY PRICE  
AND: LOUISE HELIE-MASTERS

## CLAIM

1. The Plaintiffs, [REDACTED] [REDACTED] and [REDACTED] claim from the Defendants: Family Youth and Child Services of Muskoka, Andrea Beatty, Renne Lefebvre, Bonnie Greer, Marty Rutledge, Joan Wadell, Jean Pierre Arsenault, Lisa Gregory, Lisa Bardwich, Wendy Shirtliff, Nancy Price and Louise Helie-Masters the following:

- I. The Plaintiff's EACH claim from the Defendant Family Youth and Child Services of Muskoka General Damages for Pain and Suffering in the amount of \$300,000 EACH for a total of \$900,000.
- II. The Plaintiffs [REDACTED] and [REDACTED] claim, from the Defendant Family Youth and Child Services of Muskoka, for infliction of emotional and mental stress and loss of peaceable enjoyment of life, the sum of \$300,000.
- III. The Plaintiffs [REDACTED] and [REDACTED] claim, from the Defendant Family Youth and Child Services of Muskoka, for damage to reputation, social isolation and loss of income the sum of \$300,000.
- IV. The Plaintiffs EACH claim from the Defendant Jean Pierre Arsenault the sum of \$75,000 for a total of \$225,000.
- V. The Plaintiffs EACH claim from the Defendant Lisa Gregory the sum of \$35,000 for a total of \$105,000.
- VI. The Plaintiffs EACH claim from the Defendant Louise Helie-Masters the sum of \$35,000 for a total of \$105,000.
- VII. The Plaintiffs EACH claim from the Defendant Joan Wadell the sum of \$25,000 for a total of \$75,000.
- VIII. The Plaintiffs EACH claim from EACH of the Defendants; Nancy Price, Wendy Shirtliff and Lisa Bardwich the sum of \$20,000 for a total of \$180,000.
- IX. The Plaintiffs EACH claim from the Defendant Marty Rutledge the sum of \$25,000 for a total of \$75,000.

- X. The Plaintiffs EACH claim from EACH of the individual Defendants Andrea Beatty, Renne Lefebvre and Bonnie Greer, the sum of \$10,000 for a total of \$90,000.
- XI. The Plaintiffs claim Damages pursuant to the Family Law Act R.S.O 1990, c. F.3, s. 61 (2e) for [REDACTED] in the amount of \$100,000.
- XII. The Plaintiffs claim Damages pursuant to the Family Law Act R.S.O. 1990, c. F.3, S. 61 (2e) for [REDACTED] in the amount of \$100,000.
- XIII. prejudgment and post-judgment interest pursuant to the *Courts of Justice Act*,
- XIV. costs of this action on a substantial indemnity basis; and
- XV. an Order from the Honourable Court directing awards for the minor child [REDACTED] be paid in trust to the Plaintiffs [REDACTED] and [REDACTED]
- XVI. such further and other relief as this Honourable Court deems just.
2. In retaliation for, and to circumvent, a complaint filed with the Family Services Review Board on March 27th, 2011 by the Plaintiff [REDACTED] the Defendant Jean Pierre Arsenault of Family Youth and Child Services of Muskoka filed a fraudulent child Protection Application on March 31st, 2011. This Application contained allegations that Jean Pierre Arsenault knew to be false or should have known to be false.
3. On March 31st, 2011 Jean Pierre Arsenault alleged that [REDACTED] had physically abused his daughter the weekend of September 24th, 2010 falsely implying that the child had suffered "cuts, scrapes, bruises and a goose egg". The child suffered no such injuries.
4. To support the false application, JP Arsenault who held a supervisory position, had his subordinates swear affidavits attesting to the non-existent injuries. The Society and Jean Pierre Arsenault deliberately excluded and deliberately made false representations of key evidence that would have demonstrated beyond any doubt that the alleged injuries to the child had not occurred.
5. The Defendants; Jean Pierre Arsenault, Lisa Gregory, Lisa Bardwich, Wendy Shirtliff, Nancy Price and Louise Helie-Masters each swore affidavits deliberately containing

statements that they knew to be false and/or misleading, acting in bad faith, to support the Application brought by the supervisor, Jean Pierre Arsenault.


6. The Defendant Lisa Gregory specifically described in a sworn document having seen injuries to the child that had not occurred and which Lisa Gregory could not have seen.
7. The Defendant Joan Wadell acted in a supervisory capacity to Lisa Gregory and instructed Lisa Gregory to use means and methods against the Plaintiff not in accordance with the Law and in violation of the Ontario Human Rights Code.
8. The Defendant, Louise Helie-Masters, being a person unqualified to provide Child Therapy, in attempts to create additional child protection concerns unmentioned in the Application, did subject the Plaintiffs minor child [REDACTED] to interrogations under the guise of therapy.
9. The Defendant Louise Helie-Masters was acting under the direction of Jean Pierre Arsenault and without the consent of, and over the objections of the Plaintiff [REDACTED] [REDACTED] who had repeatedly requested this Defendant's credentials in vain.
10. The Defendant Louise Helie-Masters produced an affidavit in support of the Application brought by Jean Pierre Arsenault which included a drawing the minor child was forced to participate in producing falsely depicting the Plaintiffs engaged in obscene activity.
11. As a result of the Defendant Louise Helie-Masters actions the minor child has suffered extreme emotional harm, the relationship between the child and the Plaintiffs has suffered and the Plaintiffs were subjected to public humiliation.
12. The Defendant Marty Rutledge, the Executive Director of the Society was aware of his staff's activities, ignored the Plaintiff's complaints, failed to ensure the complaints were dealt with in accordance with Ministry Guidelines and the Child and Family Services ACT and failed to ensure his staff complied with the decisions of the Family Services Review Board.
13. The Defendants Andrea Beatty, Renne Lefebvre and Bonnie Greer are senior members of the Board of Directors of Family and Child Services of Muskoka. These defendants have failed to ensure or have not been diligent in their responsibilities to ensure that the Child

and Family Services ACT is being adhered to. They have allowed their staff to ignore decisions and orders made by the Family Services Review Board. They have failed to ensure a meaningful Conflict of Interest Policy governs Family Youth and Child Services of Muskoka and have allowed public monies to be utilized persecuting the Plaintiff's.

14. The Plaintiffs assert that all the Defendants acted in bad faith and were complicit by direct involvement or negligence, either actively participating in producing false affidavits in support of the Supervisor, Jean Pierre Arsenault's false application or by ignoring the activities of the staff and the Plaintiff's complaints.
15. The Plaintiffs assert that the Child Protection Application which was initiated on March 31<sup>st</sup>, 2011 and unconditionally withdrawn by Family Youth and Child Services of Muskoka on December 22<sup>nd</sup>, 2012 caused emotional and mental distress, anxiety, humiliation and social isolation to the Plaintiffs [REDACTED] and [REDACTED].
16. The Plaintiffs assert that [REDACTED] was hospitalised as a direct result of medical conditions caused by the Defendant's prolonged harassment. [REDACTED] has also had medical appointments directly associated with the Defendant's deliberate and purposeful actions meant to cause mental harm and emotional stress to the Plaintiffs.
17. The minor child [REDACTED] has suffered immeasurably as a result of numerous interviews, unqualified therapy and being forced to denigrate the Plaintiffs [REDACTED] and [REDACTED]. The minor child suffers from Parental Alienation and now requires psychotherapy with a qualified practitioner.
18. Prior to Family and Child Services of Muskoka's involvement, intervention and subsequent bad acts including criminal acts of perjury, for which relief is being sought, the Plaintiff's had a normal healthy relationship with each other. This relationship has been irreparably damaged, marked by long separations and left each of the Plaintiff's emotional damaged as a result of the ordeal.

February 22<sup>nd</sup>, 2013

[REDACTED]  
Plaintiffs: [REDACTED]  
[REDACTED]

 and  
FAMILY YOUTH AND CHILD SERVICES OF MUSKOKA,  
ANDREA BEATTY, RENNE LEFEBVRE, BONNIE GREER,  
MARTY RUTLEDGE, JOAN WADELL, JEAN PIERRE  
ARSENault, LISA GREGORY, LISA BARDWICH, WEND  
SHIRTLIFF, NANCY PRICE and LOUISE HELIE-MASTER  
and LERNERS LLP, Lawyers for the Defendants

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding commenced at  
59 Church Street  
St. Catharines  
L2R 7N8

*Dec 19, 2015 Ms. Price*

*① adj o/c succeeded*

*CP/ueh*

MOTION RECORD

  
PLAINTIFFS  


copy

Court File No. 54248/13

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

BETWEEN:

██████████ and ██████████ and ██████████

Plaintiffs

- and -

FAMILY YOUTH AND CHILD SERVICES OF MUSKOKA, ANDREA BEATTY,  
RENNE LEFEBVRE, BONNIE GREER, MARTY RUTLEDGE, JOAN WADELL,  
JEAN PIERRE ARSENAULT, LISA GREGORY, LISA BARDWICH,  
WENDY SHIRTLIFF, NANCY PRICE and LOUISE HELIE-MASTERS

Defendants

**NOTICE OF INTENT TO DEFEND**

The Defendants intend to defend this action.

May 13, 2013

LERNERS LLP  
Lawyers  
130 Adelaide Street West  
Suite 2400  
Toronto ON M5H 3P5

ELIZABETH K.P. GRACE LS#: 37109G  
Tel: 416.601.2378  
Fax: 416.867.2407  
Lawyers for the Defendants

TO:

AND TO:



5-4248/31  
Court File No. 5.....

FAMILY YOUTH AND CHILD SERVICES OF MUSKOKA,  
ANDREA BEATTY, RENNE LEFEBVRE, BONNIE GREER,  
MARTY RUTLEDGE, JOAN WADELL, JEAN PIERRE  
ARSENAULT, LISA GREGORY, LISA BARDWICH, WEND  
SHIRTLIFF, NANCY PRICE and LOUISE HELIE-MASTER  
Defendants

and

[Redacted]  
Plaintiffs

ONTARIO  
SUPERIOR COURT OF JUSTICE  
Proceeding commenced at  
59 Church Street  
St. Catharines  
L2R 7N8

STATEMENT OF CLAIM

[Redacted] AND [Redacted] AND  
[Redacted]  
PLAINTIFFS  
[Redacted]  
[Redacted]