

JAN 27 2014



No. 9-140603
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

LAURA ROBINSON

PLAINTIFF

AND:

JOHN FURLONG,
TWENTYTEN GROUP STRATEGIC MARKETING
COMMUNICATIONS INC. and
TWENTYTEN GROUP HOLDINGS INC.

DEFENDANTS

NOTICE OF CIVIL CLAIM

FORM 1 (RULE 3-1(1))
[AM BC REG. 95/2011, SCH. A, S. 11]

This action has been started by the plaintiff for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the plaintiff.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

Time for response to civil claim

A response to civil claim must be filed and served on the plaintiff,

- (a) if you were served with the notice of civil claim anywhere in Canada, within 21 days after that service,

- (b) if you were served with the notice of civil claim anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the notice of civil claim anywhere else, within 49 days after that service, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

CLAIM OF THE PLAINTIFF

Part 1: STATEMENT OF FACTS

THE PARTIES

1. The plaintiff Laura Robinson (“Robinson”) is a professional journalist and author, and has an address for service c/o Harper Grey LLP at 3200-650 West Georgia Street, Vancouver, British Columbia.
2. Robinson has over twenty years of experience covering the Olympic sports of cycling and cross-country skiing, but is best known for her critical analysis of the safety and well-being of athletes, and equality issues as they apply to women and Aboriginal athletes in sport. Her work is used in university sport sociology and sport history classes nationally and internationally. She has contributed many chapters and articles to sport sociology and other textbooks, and is the author of six books on sport. She has been a regular guest lecturer and visiting scholar in universities throughout Canada and Europe. In June 2012 she was awarded an Honourary Doctorate of Laws, conferred by York University’s Health Faculty.
3. The defendant, John Furlong (“Furlong”) is businessman with an address of 450-375 Water Street, British Columbia. Furlong was the president of the Vancouver 2010 Bid Corporation and the President and Chief Executive Officer of VANOC. Furlong is also the executive chair of Whitecaps FC, and is a well-known public figure in Canada. In the late 1960s and early 1970s the defendant Furlong was a sports coach and instructor at Catholic schools in northern British Columbia.
4. The defendants TwentyTen Group Strategic Marketing and Communications Inc. and TwentyTen Group Holdings Inc., doing business as TwentyTen Group (collectively, referred to as “TwentyTen”) are corporations incorporated pursuant to the laws of British Columbia, and have their registered office at #205 – 1638 West Broadway Street,

Vancouver, British Columbia. TwentyTen is a marketing and sponsorship agency, and has been the exclusive media communications representative for Furlong.

BACKGROUND FACTS

5. In the fall of 2009, while conducting an interview for another news story as part of her chosen profession, the plaintiff received a “tip” that the defendant Furlong had taught at a residential school in northern British Columbia.
6. The plaintiff conducted an online search which did not reveal anything further. She did not look into the defendant Furlong’s past until February 2011 when she was requested to review *Patriot Hearts: Inside the Olympics that Changed a Country*, by “John Furlong with Gary Mason” (“*Patriot Hearts*”) for the Anishinabek News.
7. On reading the description in *Patriot Hearts* of how the defendant Furlong was recruited to come to Prince George the plaintiff recalled the “tip”. This caused the plaintiff to conduct an in-depth research into the defendant Furlong’s past. During the course of this research the plaintiff made numerous attempts to interview the defendant Furlong, both in person and through his publisher, which were rebuffed.
8. In April 2011 Robinson published an op-ed piece for the online newsletter/magazine *Play the Game* entitled *The Vancouver Olympics and John Furlong’s Sins of Omission* (“*Sins of Omission*”), which revealed little-known aspects of the plaintiff’s past.
9. In March 2012 the plaintiff was contacted by an individual who had read *Sins of Omission* and recommended that she speak to former students at Immaculata School in Burns Lake. He also informed her that while teaching at the school John Furlong had physically abused children and engaged in racial taunting.
10. In or around May of 2012, as part of her due diligence, the plaintiff obtained statutory declarations signed by eight former students of the defendant Furlong, which contained allegations that the defendant Furlong had physically and psychologically abused students, bullied students, and engaged in racial taunting of students while he was a teacher at Immaculata day school in Burns Lake. The plaintiff provided these statutory

declarations to counsel for the defendant Furlong, who advised that the defendant Furlong denied the allegations therein.

11. The September 26, 2012 edition of the Georgia Straight, a weekly newspaper with circulation throughout British Columbia, included a story authored by the plaintiff containing the allegations that the defendant Furlong physically and psychologically abused students (the “Article”). The article did not contain allegations that the defendant Furlong had sexually abused his former students.
12. Contrary to statements published by the defendants, the plaintiff is not the source of allegations that the defendant Furlong sexually abused former students nor has the plaintiff ever filed a complaint with the RCMP alleging that such abuse occurred.
13. As set out below, following the publication of the Article and throughout the court proceedings related to the Article and the allegations therein, the defendants Furlong and TwentyTen have repeatedly published, in the form of interviews with media outlets, news releases, and online publications, defamatory statements of and concerning the plaintiff.

DEFAMATORY EXPRESSION

September 27, 2012 Press Conference

14. On September 27, 2012, the defendant TwentyTen arranged a press conference in relation to the allegations of physical abuse set out in the Article (the “Press Conference”). At the Press Conference the defendant Furlong read from a written statement prepared by TwentyTen, and spoke the following false and malicious words of and concerning the plaintiff:

As you are aware I have been accused of physical abuse and apparently, in this hour, sexual abuse. I want you to know I categorically deny absolutely ANY wrongdoing and I believe that the RCMP in looking into this matter will discredit the complaint entirely because it JUST didn't happen

Let me just say I am proud of the work I have done and the time I spent in the north and across the country working with First Nations and Aboriginal communities. I have the honor of having two Aboriginal names given to me by Aboriginal groups for accomplishments we achieved together. I am also proud of the

book Patriot Hearts the story of my Olympic journey - my experiences and my personal recollections of those years. I did my best to include elements that contributed directly to the build up and delivery of the Games.

Given my background and experiences working side by side with First Nations leaders and communities, it was very troubling to read the recent article as it deals with very serious, unfounded, allegations that are completely without merit.

Because of the gravity of the situation, I encourage the police to continue to investigate the allegations and especially how they were arrived at.

Further, I am very disappointed, in spite of numerous written cautions, by the reporter's shocking lack of diligence in researching the article. As a result of inaccurate reporting, I feel that my character has been recklessly challenged and I have no choice now but to proceed with legal action. It is also beyond all belief that the Georgia Straight newspaper did not place a single call to me to validate any of the elements of this story.

Advancing this after more than 40 years, particularly when I have been in the public eye constantly for the past 14 plus years is beyond me. Having experienced this reporter on many occasions in the past this feels very much like a personal vendetta. And finally let me just say on the very first occasion that this was brought to my attention prior to the Olympic Games I was advised for that for a payment it could be made to go away. And as such I reported this matter to the police.

So why NO mention of Burns Lake in my book? My time in Burns Lake was fairly brief and fairly uneventful. I went back to Ireland and came to Canada years later as a landed immigrant. However, I have friends in Burns Lake. Been there many time since. I have spoken there. I visited the community with a First Nations delegation prior to the Olympics, and brought the Olympic Torch Relay through the Community, ALL without incident.

There is much I could comment and would like to, but as this issue is now with the police and the courts, I am not in a position to provide further remarks.

[Hereinafter referred to as the "Press Conference Defamation"]

15. The Press Conference Defamation was immediately published on John Furlong's personal website at www.johnfurlong.ca (the "Furlong Website") with minor changes, and was provided in hard-copy to the media in attendance at the Press Conference.

16. The Press Conference Defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation.
17. In their natural and ordinary meaning, the words in the Press Conference Defamation meant and were understood to mean that the plaintiff:
 - (a) Was not diligent in her research that led to the publication of the Article;
 - (b) Made no efforts to contact the defendant Furlong prior to publishing the Article;
 - (c) Was motivated in writing the Article by a “personal vendetta” directed at the defendant Furlong; and
 - (d) Contacted the defendant prior to publishing the Article and advised that, in exchange for monetary payment, she would not write a story containing allegations of physical abuse committed by the defendant Furlong.
18. In the alternative, by way of innuendo, the words meant and were understood to mean that the plaintiff:
 - (a) Is an unethical journalist;
 - (b) Is an incompetent journalist;
 - (c) Fabricated the allegations in the Article for personal gain;
 - (d) Fabricated the allegations in the Article due to personal animosity toward to the defendant Furlong; and
 - (e) Attempted to extort money from the defendant Furlong.
19. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff.
20. Given the defendant Furlong’s public profile, the nature of the allegations set out in the Article, and the defendants’ invitation to the media to attend and report on the Press Conference, the Press Conference Defamation was picked up by various national and international media, and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication, was a

natural and probable result of the publication of the Press Conference Defamation, for which they are both responsible.

October 2, 2012 Statement

21. On October 2, 2012, the defendants Furlong and TwentyTen published a news release through the services of a newswire organization in relation to the Article (the "October 2 News Release") containing the following false and malicious words of and concerning the plaintiff:

Last Thursday I responded to an inaccurate Georgia Straight story by Laura Robinson where serious allegations were levied against me. As she prepared her story she was cautioned frequently by my legal counsel that her information was wrong. She and the Georgia Straight were warned repeatedly of the consequences for printing damaging, untrue information. Legal action against both is now in process for a retraction, full apology and substantial monetary damages.

The past five days have been humiliating and demeaning beyond anything my family and I have ever experienced. My loved ones in Canada and Ireland have been subjected to scrutiny, sarcasm, disrespect and outrageous invasions of privacy. The story is a disgrace beyond words.

Today I am setting the record straight on aspects of the story and its author that cannot wait for a courtroom given their gravity, her callousness and the damage inflicted.

1) My volunteer service in Burns Lake and Prince George (1969-1972) and return to Ireland

I came to Burns Lake in 1969 as a volunteer at a small school that needed help. I worked hard to try and be a positive influence, I cared deeply for the students and I left after 14 months of service. My wife and I then moved to Prince George where we continued to volunteer before returning home to Ireland by 1972 as our volunteer commitment had ended. As this time will be discussed at length in court, I can say only that as a volunteer teacher I treated everyone in a fair, appropriate manner and at no time unlawfully or harmfully. I have never denied nor purposefully omitted speaking publicly of this time. It was not material in any way to my very difficult and emotional decision to leave Ireland permanently and where the story of my life as a Canadian begins.

Contrary to the article, my eldest son was born not before but after our return to Ireland, on January 28th 1973 in the Rotunda Hospital in Dublin, close to our home. He is an Irish born proud Canadian with dual citizenship.

2) The 1974 Irish Bombings, my cousin Siobhan Roice's death and my immigration to Canada

I risk great pain to my family in Canada and Ireland in clarifying why I left Ireland for good but Ms. Robinson's disgraceful mockery of a deeply difficult period must be addressed.

Ms. Robinson incorrectly and for reasons I find incomprehensible, attempts to describe the circumstances of my cousin Siobhan Roice's death at the hands of terrorists in the Dublin Bombings on May 17th, 1974. She challenges my father's role in identifying her body, how he identified her, his subsequent death, the damage it did to us and my resulting decision to leave Ireland permanently for Canada. Ms. Robinson's cruel words are entirely wrong, have inflicted agony and stress and have revisited a horrible tragedy on us.

The Dublin Bombings were the most cowardly terrorist attack in Ireland's history. The country was in shock as many died and were maimed that day. My shaken father identified Siobhan's broken body exactly as I remember it in my book. He died of a massive heart attack days after her closed casket funeral and is buried in the grave attaching that of Siobhan.

To protect Siobhan's mother (my aunt), her family told her that Siobhan had died quickly with little suffering from a heart attack. I have been reminded again by family in Ireland recently that this is how they have spoken of this tragedy ever since in a caring and continuous show of compassion to help her and the whole family try to heal.

The actual events, however, made a searing, painful and lasting impression on me. We left for Canada not long afterwards; the story I've shared countless times is the true account of a tragedy that shaped my life forever. We came to Canada as landed immigrants grateful for a fresh start and a new beginning. A customs officer's simple welcome to the country has inspired me for a lifetime. We love this country and have been deeply grateful for the opportunity it has given us for a better life by working hard, giving back, and always looking out for others.

3) Laura Robinson's open contempt for the Olympic Games and male authority figures in sport

Ms. Robinson's contempt for me and for the Olympics was well known to the leadership at VANOC. She was openly acerbic in her articles about VANOC's activities especially as they related to First Nations and female athletes, my leadership, and the International Olympic Committee. She is particularly known for her caustic criticism of male authority figures in sport. At VANOC we accepted her scrutiny - biased as it consistently was - as part of the job. We thought our interaction with her ended with the Games.

My family and I are at a loss to try to understand her motivation for this latest attack that is both personal and destructive to the extreme. The damage to us is massive and will be immeasurably detrimental to us for years to come.

[Hereinafter referred to as the "October 2 Defamation"]

22. The October 2 Defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation.
23. In their natural and ordinary meaning, the words in the October 2 Defamation meant and were understood to mean that the plaintiff:
 - (a) Behaved in a callous and reprehensible manner by authoring the Article;
 - (b) Disgracefully mocked the defendant Furlong in the Article;
 - (c) Is contemptuous of male authority figures in sport and of the Olympics in general; and
 - (d) Authored the Article as an attack on the defendant Furlong motivated by contempt for male authority figures in sports.
24. In the alternative, by way of innuendo, the words meant and were understood to mean that the plaintiff:
 - (a) Is an unethical journalist;
 - (b) Is an incompetent journalist;
 - (c) Is a cruel and spiteful individual;
 - (d) Fabricated allegations in the Article due to personal animosity toward to the defendant Furlong; and

- (e) Fabricated allegations in the Article due to express her contempt for male authority figures in sports.
25. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff.
26. Given the defendant Furlong's public profile, the nature of the allegations set out in the Article, and the manner in which it was published, the October 2 Defamation was picked up by various national and international media and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication was the natural and probable result of the publication of the October 2 Defamation, for which they are both responsible.

October 29, 2013 Statement

27. On or about October 29, 2013, the defendants Furlong and TwentyTen published a news release through the services of a newswire organization and online at <http://www.johnfurlong.ca/index.php?page=7> in relation to the plaintiff (the "October 29 Statement") containing the following false and malicious words of and concerning the plaintiff:

Enough is Enough

Oct 29 / 2013

STATEMENT FROM JOHN FURLONG: Enough is enough

For the last year, I have remained largely silent on the horrible, heartless lies and innuendo that have been published and broadcast about me, originating in articles and court documents from the activist Laura Robinson.

Today that silence ends. Enough is enough. I have been declared innocent by the RCMP and I am dropping one legal action and will escalate another.

RCMP Investigation shows my innocence

After a thorough investigation, the RCMP have cleared me of the allegations that Ms. Robinson brought to the RCMP on behalf of

Beverley Abraham in the summer of 2012. I have both written and verbal confirmation of this finding, now in the hands of senior RCMP officials.

In correspondence with my legal counsel, the RCMP's investigating officer stated: "I can tell you the RCMP have concluded their investigation into that matter and found nothing to substantiate the complaint". In a verbal briefing to my legal counsel last week the same RCMP officer advised that his thorough, 16-month investigation and final report confirms there is no truth to the claims she made against me.

I asked the RCMP for this investigation and I encouraged it. I then cooperated fully with the police. While this has been deeply painful and damaging in so many ways I thank the RCMP for their independence, professionalism and public service.

Discontinuation of Georgia Straight Legal Action

Given this finding of innocence by the RCMP I am today discontinuing my legal action against The Georgia Straight, the tabloid that was the only newspaper to publish Ms. Robinson's original article. Their publication of this reckless article went ahead even after being warned by the RCMP about material, serious discrepancies in Laura Robinson's reporting. That article was then subsequently reprinted and its contents broadcast widely, with devastating and pulverizing consequences on me and my family. But it is the source of these lies I wish to pursue.

Escalation of Defamation Action against Laura Robinson

My defamation case against Laura Robinson will continue and be escalated - she is the perpetrator of these defamatory allegations. She continues to defame me today and this will no longer go unchallenged. Ms. Robinson has a two decade-long pattern of inaccuracy in her writing. Her words have hurt innocent people. I will file those documents to amend my legal case against her in the coming days and weeks.

This is the same Laura Robinson who on at least four previous occasions — that I know of — is known to have publicly attacked or damaged the reputations of good people. In each case, she was proven to be wrong, very wrong:

In 1994 she accused former Canadian national men's basketball coach Ken Shields of racism, alleging he kept minority players off the team. Her allegations were proven false by an independent investigation, and the charges in her article were fully retracted by The Globe and Mail.

In a 2000 article in *Chatelaine* magazine she wrote that Vancouver Fire Department members set up private phone lines to arrange sexual encounters with women. The allegations were fully discredited through a commissioned investigation that found the phone lines had been in wide use for decades for emergency and personal contact between firefighters and their family members.

In 2005, she alleged sexual harassment against Keith Benson, former principal of UBC's Green College where she had been studying. He resigned his position after that false allegation. A year later she recanted that allegation in court and the case was dropped.

In 2012, she filed a court document saying I abused my former wife. Within 24 hours, she and my children stated publicly that these allegations were false, reckless and damaging. Laura Robinson was proven wrong again. But her pattern is clear.

Backdoor Publishing

Laura Robinson has used the courts as a platform in a campaign to publish horrendous and false accusations she could not write or publish under her own byline, even in the original article in *The Georgia Straight*.

More importantly, this was a calculated form of irresponsible, back-door publishing designed to ruin my hard earned reputation. Again, it is a deeply damaging misuse of the court and the media. It has been devastating beyond measure to my family and me.

I am a public figure, a by-product of my proudest achievement as a Canadian — being given the privilege and honor of leading the team that organized the 2010 Winter Olympic and Paralympic Games in Vancouver.

False allegations against public figures, as I have discovered at great cost, are deemed big news. Once Laura Robinson placed her explosive, false allegations in those privileged court documents, nobody paused or waited for the judge and a trial to test their truthfulness in court. The hurt and damage was immediate.

Laura Robinson's unproven written and verbal allegations against me were instantly deemed newsworthy and were widely reported on and quoted. And because those false allegations were in a court document, it was incorrectly assumed they could be reported — and repeated — with impunity. This put me and my family under the most horrible and vicious scrutiny, exposing us to continuing humiliation, ridicule, and destroyed our privacy.

I have always respected the courts and media as foundations of our society. The women and men in them do their best to bring about truth, fairness and justice. But I ask any reasonable person to consider what they would do if someone did this to them, or a family member?

I'm not sure anyone can undo the damage done to us. I also do not know or understand the motives for Laura Robinson's campaign against me. But I do know, despite numerous warnings from my legal counsel to Ms. Robinson that her allegations are wrong, her vicious campaign is continuing, even escalating.

Instead of respectfully waiting for the court and the RCMP to do their jobs properly, as I have, she is now sending defamatory letters and documents to my friends, employers and other organizations that I work with, slurring my reputation. This is palpable harassment.

This activist is also now spreading these horrible allegations about me in Europe, at a conference called Play The Game. Her talk is titled — *Truth, Lies and History: John Furlong and Canadian Sports' Moral Vacuum*.

Well – enough is enough.

In forty years of living, working and public service in BC, there had never been a complaint about me. Never a criminal charge, nor a reason for one. Laura Robinson then made one. The RCMP has found her allegation against me to be completely unfounded. And any other allegations out there are just as false.

This is not an acceptable way to treat any Canadian, or to use the courts. I believe I have a responsibility to expose the tactics that have been so hurtful and damaging to me and could be used against others.

I will continue to pursue my defamation against Laura Robinson in the courts and, now, expose her questionable tactics and methods to Canadians. This should not happen to anyone.

I am in debt to my many friends and supporters, who have stood by us over the past year. No amount of thanks will ever be enough. I look forward to better days and a return to public service.

Sincerely,

John Furlong

[Hereinafter referred to as the “October 29 Defamation”]

28. The October 29 Defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation.
29. In their natural and ordinary meaning, the words in the October 29 Defamation meant and were understood to mean that the plaintiff:
 - (a) Publishes lies in her professional reporting;
 - (b) Is not a professional journalist but rather is an activist;
 - (c) Is a heartless individual;
 - (d) Was warned by the RCMP that her reporting was not accurate;
 - (e) Is widely known to be a dishonest and inaccurate journalist;
 - (f) Publically attacked individuals with false statements that were proven to be wrong on at least four occasions;
 - (g) Published lies as part of a campaign against the defendant Furlong; and
 - (h) Is the source of a complaint to the RCMP that the defendant Furlong sexually assaulted one of his former students.
30. In the alternative, by way of innuendo, the words meant and were understood to mean that the plaintiff:
 - (a) Is a liar;
 - (b) Is heartless;
 - (c) Is a cruel and spiteful individual;
 - (d) Fabricated allegations in the Article due to personal animosity toward to the defendant Furlong;
 - (e) Continually fabricates stories in her professional occupation as journalist; and
 - (f) Filed a false police report alleging sexual assault concerning the defendant Furlong.

31. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff. The October 29 Defamation continues to be published online, as of the date of this notice of civil claim, on the Furlong Website at the URL: <http://www.johnfurlong.ca/index.php?page=7>.
32. Given the defendant Furlong's public profile and the manner in which it was published, the October 29 Defamation was picked up by various national and international media and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication was the natural and probable result of the publication of the October 29 Defamation, for which they are both responsible.

October 28, 2013 interview with Chris Gailus of Global TV

33. On or about October 28, 2013, the defendant Furlong appeared in an interview with Chris Gailus of Global Television (the "Global Interview"). During the course of the Global Interview the defendant Furlong made the following false and defamatory statements of and concerning the plaintiff:

And what's odd about it is that this activist in fact filed a complaint, not the student. She filed it, she went into the RCMP and made the complaint which is highly unusual. And...and so you know, she was the one that did that.

[Hereinafter referred to as the "Global TV Defamation"]

34. The Global TV Defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation and was made in the context of a television interview about the allegations concerning the defendant Furlong set out in the Article.
35. In their natural and ordinary meaning, the words in the Global TV Defamation meant and were understood to mean that the plaintiff:
 - (a) Filed a complaint with the RCMP alleging that the defendant Furlong sexually assaulted one of his former students.

36. In the alternative, by way of innuendo, the words meant and were understood to mean that the plaintiff:

(a) Filed a false police report concerning the defendant Furlong.

37. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff. The Global TV Defamation was broadcast nationally and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendant Furlong knew or ought to have known that this republication, was a natural and probable result of him participating in an interview with Global TV.

38. The Global TV Defamation was picked up by various national and international media and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication was the natural and probable result of the publication of the Global TV Defamation, for which they are both responsible.

October 29, 2013 interview with Macleans Magazine

39. On or about October 29, 2013, the defendant Furlong gave an interview with Macleans magazine, a national Canadian newsmagazine (the “Macleans Interview”) at the Toronto offices of the defendant TwentyTen. During the course of the Macleans Interview the defendant Furlong made the following false and defamatory statements of and concerning the plaintiff:

“Enough is enough. When this started, I thought this would take a week, maybe two, or a month—max—and then it would be over,” he says. “It was a ridiculous charge. It was a lie. And it was placed before the RCMP by Laura Robinson.”

[Hereinafter referred to as the “Macleans Defamation”]

40. The Macleans defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation and was made in the context of an interview about the allegations concerning the defendant Furlong set out in the Article.

41. In their natural and ordinary meaning, the words in the Macleans Defamation meant and were understood to mean that the plaintiff:
 - (a) Filed a complaint with the RCMP alleging that the defendant Furlong sexually assaulted one of his former students.
42. In the alternative, by way of innuendo, the words meant and were understood to mean that the plaintiff:
 - (a) Filed a false police report concerning the defendant Furlong.
43. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff. The Macleans Defamation was published nationally and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication was a natural and probable result of the Defendant Furlong participating in an interview with Macleans magazine.

December 12, 2013 Statement

44. On or about December 12, 2013, the defendants Furlong and TwentyTen published a news release through the services of a newswire organization and online at <http://www.johnfurlong.ca/index.php?page=7> in relation to the plaintiff (the “December 12 News Release”) containing the following false and malicious words of and concerning the plaintiff:

RCMP Investigation Exonerates John Furlong; Trial Date Being
Filed A statement from John Furlong

December 12th, 2013

Today I have instructed my legal counsel to ask The Supreme Court of British Columbia for a trial date in the civil claim brought against me by Beverly Abraham.

My decision to seek a trial has been made in light of an official letter I received yesterday from the RCMP that fully exonerates me with respect to Ms. Abraham’s false allegations, some of which were also published by the activist Laura Robinson, whom I am suing for defamation in a separate suit before the BC Supreme Court.

A new letter I received yesterday from RCMP states: "*This letter is to inform you that the Royal Canadian Mounted Police have concluded their investigation . . . Based on the facts uncovered, the allegations made by Beverly Abraham are not supported.*" [Please see a copy of the letter here]

This conclusion by the RCMP — following a 16-month investigation that I requested and cooperated with — is further proof of a pattern of reckless inaccuracy by the activist Laura Robinson.

On September 27, 2012 this activist published an article in The Georgia Straight, outlining some of Ms. Abraham's false allegations. Laura Robinson then expanded her attack by using the courts to back-door publish even more damaging allegations she could not put in her original article because they were not grounded in fact.

This is part of a historic pattern of inaccuracy by Laura Robinson. In addition to the untrue statements she wrote about me, Laura Robinson has made egregious errors in at least four other cases:

In 1994 she accused former Canadian national men's basketball coach Ken Shields of racism, alleging he kept minority players off the team. Her allegations were proven false by an independent investigation, and the charges in her article were fully retracted by The Globe and Mail.

In 2005, she alleged sexual harassment against Keith Benson, former principal of UBC's Green College where she had been studying. He resigned his position after that false allegation. A year later she recanted that allegation in court and the case was dropped.

In 2012, she filed a court document saying I abused my former wife. Within 24 hours, my former wife and my children stated publicly that these allegations were false, reckless and damaging. Laura Robinson was proven wrong again.

In a 2000 article in Chatelaine magazine she wrote that Vancouver Fire Department members set up private phone lines to arrange sexual encounters with women. The allegations were fully discredited through a commissioned investigation that found the phone lines had been in wide use for decades for emergency and personal contact between firefighters and their family members.

I am grateful that the record has now been fully cleared in this matter, and Beverly Abraham's allegations have been proven to be incorrect. I thank the RCMP for their efforts to get to the truth and concluding their investigation of this matter.

Sincerely,

John Furlong

[Hereinafter referred to as the “December 12 Defamation”]

45. The December 12 Defamation referred to or was understood to refer to the plaintiff, as the plaintiff was referred to by name and occupation.
46. In their natural and ordinary meaning, or in the alternative, by way of innuendo, the words in the December 12 Defamation meant and were understood to mean that the plaintiff:
 - (a) exhibited a pattern of recklessness and inaccuracy throughout her journalism career;
 - (b) is not a professional journalist but rather is an activist; and
 - (c) publically attacked individuals with false statements that were proven to be wrong on at least four occasions.
47. Each of the above meanings is false, malicious and defamatory of and concerning the plaintiff. The December 12 Defamation continues to be published online, as of the date of this notice of civil claim, on the Furlong Website at the URL: <http://www.johnfurlong.ca/index.php?page=7>.
48. Given the defendant Furlong’s public profile and the manner in which it was published, the December 12 Defamation was picked up by various national and international media and the defamatory meanings identified above were republished widely and their defamatory content spoken of widely by the media and published to social media. The defendants knew or ought to have known that this republication was a natural and probable result of the publication of the December 12 Defamation, for which they are both responsible.

Request for Retraction and Apology

49. On November 13, 2013, the plaintiff, through her counsel, demanded that the defendant Furlong issue a retraction and apology for the false allegations concerning her and remove the publication identified above as the October 29 Statement from the Furlong Website. Neither the defendant Furlong nor his counsel have responded to the demand

for a retraction and apology. Through public statements to the media the defendant Furlong has indicated he will not retract or apologize for the allegations set out above, despite actual knowledge that the plaintiff did not initiate a complaint with the RCMP as alleged.

50. On December 13, 2013, the plaintiff, through her counsel, demanded that the defendant Furlong issue a retraction and apology for the false allegations concerning her and remove the December 12 Defamation and all previous statements from the Furlong Website. Neither the defendant Furlong nor his counsel have responded to the further demand for a retraction and apology. The December 12 Defamation has not been removed from the Furlong Website.

DAMAGES AND INJUNCTIVE RELIEF

51. The plaintiff alleges and the fact is that the defendants intended that the Press Conference Defamation, the October 2 Defamation, the October 29 Defamation, the Global TV Defamation, the Macleans Defamation and the December 12 Defamation (collectively, the “Defamatory Statements”) would be republished widely and their defamatory content spoken of widely, and the defendants knew or ought to have known that this republication, including publication in national and international media and on social media, was a natural and probable result of the publication of the Defamatory Statements, for which they are both responsible.
52. The defamatory expression alleged in this notice of civil claim has caused and continues to cause injury, loss and damage to the plaintiff, and was deliberately calculated by the defendants to expose the plaintiff to contempt, ridicule and hatred, and to cause other persons to shun or avoid the plaintiff, and to lower the plaintiff’s reputation in the eyes of right-thinking members of the community, all of which has in fact occurred.
53. As a consequence of the publication and republication of the defamatory expression alleged in this notice of civil claim, the plaintiff has incurred and continues to incur loss, damage and expense, and will incur loss, damage and expense in the future, including special damages including but not limited to loss of income, particulars of which will be provided on request.

54. The defendant Furlong aggravated the damages suffered by the plaintiff by:
- (a) refusing to publish a full retraction and apology as demanded by the plaintiff; and
 - (b) continuing to publish the October 29 Defamation and the December 12 Defamation, despite actual knowledge of the falsity of the above-noted defamatory words; and
 - (c) continuing to assert that the plaintiff is the source of the RCMP investigation into allegations the plaintiff sexually assaulted former students.
55. The Defendants conduct is sufficiently egregious to warrant an award of punitive damages, particulars of which conduct are as follows:
- (a) the Defendants made no effort or, in the alternative, no reasonable effort, to verify the accuracy of the Defamatory Statements;
 - (b) the Defamatory Publications were made maliciously with the intent of damaging the reputation of the plaintiff;
 - (c) the Defamatory Statements were made maliciously with the intent of influencing ongoing court defamation proceedings brought by the defendant Furlong against the plaintiff; and
 - (d) the defendants continued to publish the October 29 Defamation and the December 12 Defamation despite actual knowledge of the falsity of above-noted defamatory words identified in these articles.

Part 2: RELIEF SOUGHT

1. An interim and permanent injunction restraining the defendants, from further writing, printing or causing to be written and printed, or otherwise publishing the alleged or any similar libel concerning the plaintiff;
2. General damages;
3. Special damages;

4. Aggravated damages;
5. Punitive damages
6. Special costs, or in the alternative, costs;
7. Interest pursuant to the *Court Order Interest Act*; and
8. Such further and other relief as this Honourable Court may seem meet and just.

Part 3: LEGAL BASIS

1. The plaintiff relies on the statutory and common law in regards to defamation.
2. The plaintiff relies on common law principles governing the assessment of damages for defamation.
3. The plaintiff relies on common law and equitable principles concerning injunctive relief for defamation.
4. The plaintiff pleads and relies on the doctrine of *respondeat superior* and further pleads that the defendant TwentyTen Group is vicariously liable to the plaintiff for the acts, omissions, deeds, misdeeds, torts and liabilities of its officers, directors, contractors, sub-contractors, agents, servants, employees, assigns, appointees and partners of the TwentyTen Group.
5. The plaintiff also relies on the *Libel and Slander Act*, RSBC 1996 c. 263.

(1) The plaintiff's address for service is:

HARPER GREY LLP
Barristers and Solicitors
3200 - 650 West Georgia Street
Vancouver, BC V6B 4P7

Fax number for service: (604) 669-9385

(2) Place of trial: Vancouver


The address of the registry is:

800 Smithe Street
Vancouver, BC V6Z 2E1

(3) The name and office address of the plaintiff's solicitor is:

HARPER GREY LLP
Barristers & Solicitors
3200 - 650 West Georgia Street
Vancouver, BC V6B 4P7
Telephone: 604 687 0411
Fax: 604 669 9385
Attn: Bryan G. Baynham, Q.C./DJR/127406

Dated: 27 January 2014



HARPER GREY LLP
(Per Bryan G. Baynham, Q.C.)
Lawyer for the plaintiff

Rule 7-1(1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
 - (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and

- (b) serve the list on all parties of record.

APPENDIX

Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:

Defamation

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:

A personal injury arising out of:

- a motor vehicle accident
- medical malpractice
- another cause

A dispute concerning:

- contaminated sites
- construction defects
- real property (real estate)
- personal property
- the provision of goods or services or other general commercial matters
- investment losses
- the lending of money
- an employment relationship
- a will or other issues concerning the probate of an estate
- a matter not listed here

Part 3: THIS CLAIM involves:

- a class action
- maritime law
- aboriginal law
- constitutional law
- conflict of laws
- none of the above