

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

RESPONSE TO DEMAND FOR PARTICULARS

TO: The Plaintiff, Laura Robinson

The Response of the Defendant, John Furlong, to the Demand for Particulars of the Plaintiff, Laura Robinson dated 24 April 2014 is as follows:

1. The particulars demanded of paragraph 1 of Part 3 of the defendant's response to civil claim are as follows.

(a) The following words complained of are statements of fact:

(i) Words set out at para. 14 of Notice of Civil Claim:

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 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 that for a payment it could be made to go away. And as such I reported this matter to the police. . .

. . . I went back to Ireland and came back to Canada years later as a landed immigrant. However, I have friends in Burns Lake. Been there many times since. I have spoken here. 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. .

(ii) Words set out at para. 21 of the Notice of Civil Claim

. . .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. . .

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. . . I have never denied nor purposefully omitted speaking publicly of this time. . .

. . .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. . .

. . .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. . .

(iii) Words set out at para. 27 of the Notice of Civil Claim

. . .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. . .

- 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. . .

(iv) Words set out at para. 33 of the Notice of Civil Claim

Nil

(v) Words set out at para. 39 of the Notice of Civil Claim

Nil

(vi) Words set out at para. 44 of the Notice of Civil Claim

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. . .

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]

. . . On September 27, 2012 this activist published an article in The Georgia Straight, outlining some of Ms. Abraham's false allegations. . .

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. . .

- 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. . .

(b) The facts and matters relied on in support of the allegation that the words are true are as set out in the Response to Civil Claim and as follows:

(i) Between 1969 and 1972, Mr. Furlong was a volunteer sports coach and instructor at Catholic schools in British Columbia. For 14 months starting in 1969, Mr. Furlong volunteered at Immaculata School in Burns Lake, British Columbia and following that he moved to Prince George whether he continued his volunteer service until 1972 when he returned home to Ireland. Mr. Furlong's eldest son was born in Ireland in 1973. In 1974, Mr. Furlong's cousin Siobhan Roice was killed and his father passed away. Thereafter, Mr. Furlong permanently immigrated to Canada.

(ii) Prior to the Olympic Games, Mr. Furlong was approached by persons acting on behalf of a woman, who on information and belief is Beverly Abraham's sister, Millie, who advised him that she would say that he had abused her as a child but that if he were to pay her some amount of money the allegation could be made to go away. Mr. Furlong denied that he had abused the woman, refused to pay her any money and reported the attempted extortion to the Vancouver Police Department.

(iii) Mr. Furlong's solicitor advised Ms. Robinson on numerous occasions prior to the publication of the September 27, 2012 article that the allegations she stated she intended to publish were false including as follows:

- On April 10, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson that Mr. Furlong "vigorously denies any wrongdoing of any kind and to avoid any future ambiguity anyone who writes or publishes anything defamatory about him does so at his or her own risk".

- On April 12, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson "we repeat that Mr. Furlong has never beaten a young girl either badly, or at all."
- On April 16, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson, "I want to remind you once again that anyone who defames Mr. Furlong will be before the Courts of this country forthwith. Kindly, therefore, respond to my questions as soon as possible so that we can put this matter behind Mr. Furlong"
- On May 8, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson "I remind you once again that it is Mr. Furlong's position that he has done nothing wrong or illegal and will aggressively challenge any libellous assertions against him."
- On July 20, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson "I have discussed the contents of your e-mails with Mr. Furlong and he vigorously denies any wrongdoing of any description whatsoever, including the assertions in the affidavits and other documents which came with your emails on July 17th. . . As we have informed you before, if Mr. Furlong is defamed in any way whatsoever concerning these matters, he will immediately commence civil proceedings against those responsible, including authors, publishers, distributors – anyone who might be involved with the production or dissemination of the defamation."
- On September 18, 2012, Mr. Furlong's solicitor wrote to Ms. Robinson "In the event that you are determined to continue your activities concerning him, kindly make sure that you inform everyone that you are dealing with that a civil action will follow if anything defamatory concerning Mr. Furlong occurs."
- On September 26, 2012, Mr. Furlong's solicitor wrote to Charlie Smith, editor of the Georgia Straight as follows: "We are informed that Ms. Laura Robinson has been in touch with you concerning allegations of wrongdoing that she has been making concerning Mr. John Furlong. We have received communications from Ms. Robinson alleging certain actions that she says Mr. Furlong participated in several years ago. We have also met with the RCMP concerning this matter. We have informed both Ms. Robinson and the RCMP that our instructions are that her assertions are wrong, and in the event that anything defamatory is published by anyone concerning Mr. Furlong, that a civil defamation action will be commenced forthwith thereafter. We are writing this letter to you in order to avoid any future ambiguity about Mr. Furlong's position with respect to the allegations brought forward by Ms. Robinson. These allegations are incorrect and defamatory."

(iii) On May 2, 2012, Beverly Abraham signed a Statutory Declaration at the request of Ms. Robinson in which she alleged physical and sexual abuse.

(iv) On September 27, 2012, Ms. Robinson published an article entitled "JOHN FURLONG BIOGRAPHY OMITTS SECRET PAST IN BURNS LAKE" (the "Georgia Straight Article") in the Georgia Straight and online at the website straight.com which contained false and defamatory allegations about Mr. Furlong including that he physically abused, bullied and engaged in racial taunting of students during the course of his volunteer service at Immaculata Elementary School.

(v) Beverly Abraham was quoted in the Georgia Straight article making allegations of physical abuse.

(vi) On September 27, 2012, Beverly Abraham was quoted in an article published on www.cbc.ca stating as follows about Mr. Furlong:

"The flashback got so bad that a couple months ago, I went to police," Abraham told CBC News.

"He started with my legs and then putting his hand up and he was saying, 'You know, you're special to me. I don't know what it is about you. You're very special to me,' and he put his hand where it wasn't supposed to go in my privates."

(vii) On September 27, 2012, Cpl. Quinton Mackie of the RCMP forwarded Mr. Furlong's solicitor an email dated September 21, 2012 that he send to Charlie Smith of the Georgia Straight "indicating that there are inconsistencies between what Laura Robinson has said and what Beverly Abraham has said"

(viii) On April 12, 2013, Cpl. Quinton Mackie of the RCMP advised Mr. Furlong's solicitors as follows:

"With respect to the sexual abuse allegation brought forward by Beverly Abraham through Laura Robinson I can tell you that the RCMP have concluded their investigation into that matter and have found nothing to substantiate the complaint. . ."

(ix) On December 5, 2013, Cpl. Mackie of the RCMP wrote to Mr. Furlong's solicitor as follows:

"This letter is to inform you that the Royal Canadian Mounted Police have concluded their investigation into the above mentioned matter. Based on the facts uncovered, the allegations made by Beverly Abraham are not supported. Reasonable and probable grounds do not exist on which to recommend charges against John Furlong to Crown Counsel. The Royal Canadian Mounted Police are no longer investigating John Furlong with respect to this allegation."

(x) On December 16, 2013, a Notice of Trial was filed by Mr. Furlong in *Abraham v. Furlong, et al.*, Vancouver Registry No. S-135556.

(xi) Additional facts in relation to Ms. Robinson's history are set out at para. 16 of the Response to Civil Claim, including that:

a. A 1994 article in the *Globe and Mail* in which Ms. Robinson levied racism allegations against Ken Shields, the coach of the Canadian national men's basketball team. Following the publication of the article, Basketball Canada appointed an independent three-member panel to investigate the allegations of racism made by the Ms. Robinson. The panel concluded that there had been no basis for the allegations of racism. The allegations were later fully retracted by the *Globe and Mail*, which in an apology wrote that it "never intended to suggest that national-team coach Kenneth Shields was a racist, hereby retracts any such suggestion that might be considered to arise from the article and apologizes to coach Shields for any embarrassment he may have suffered." Mr. Shields brought an action against the *Globe and Mail* in libel, which was settled.

b. In October 2005 Ms. Robinson brought an action in British Columbia Provincial Court (Vancouver Registry 0509349) which made baseless allegations including "harassment and discrimination" by Keith Benson, the then Principal of Green College at the University of British Columbia. In June 2006, Ms. Robinson amended her Notice of Claim to include particulars of the "harassment" including "troubling" and "disturbing emails containing falsehoods about her" and suggesting that Dr. Benson may have been "fired for sexual harassment" from a previous position at University of Washington. In August 2006, Ms. Robinson withdrew her allegations, stating at a hearing in Provincial Court that she now knew that she had not, in fact been the victim of sexual harassment and that she was therefore not pursuing the claim of harassment. The claims against Dr. Benson were dismissed.

c. A 2000 article in *Chatelaine Magazine* in which Ms. Robinson alleged that members of the Vancouver Fire Department organized the distribution of phone numbers to private lines in their fire hall in order to set up inappropriate sexual encounters with women. The allegations in this article were discredited by an independent investigation launched by the Vancouver Fire Department, in which the investigator found no evidence substantiating the allegations and found that the phone lines were a decade's old practice for fire fighters to stay in contact with their wives, children and families.

d. Allegations made in "The Robinson Response", in which Ms. Robinson alleged through a court document that the Plaintiff had a violent history with his former spouse, Margaret. No evidence was submitted and within 24 hours of the allegations being made, the Mr. Furlong's former spouse, Margaret, publicly stated those allegations were false.

2. The particulars demanded of paragraph 5 and 6 of Part 3 of the defendant's response to civil claim are as follows.

- (a) See particulars provided at para. 1(a) above.
- (b) The following words complained of are comment on matters of public interest.

(i) Words set out at para. 14 of the Notice of Civil Claim

. . . Let me just say that 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 believe that the RCMP is looking into this matter will discredit the complaint entirely because it JUST didn't happen.

. . . 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. . .

So why NO mention of Burns Lake in my book? My time in Burns Lake was fairly brief and fairly uneventful. . .

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.

(ii) Words set out at para. 21 of the Notice of Civil Claim

Last Thursday I responded to an inaccurate Georgia Straight story by Laura Robinson where serious allegations were levied against me. . .

. . .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. . .

. . .As this time will be discussed at length in court, I can only say that as a volunteer teacher I treated everyone in a fair, appropriate manner and at no time unlawfully or harmfully. . .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. . .

. . .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 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. . .

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.

(iii) Words set out at para. 27 of the Notice of Civil Claim

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. . .

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:

. . . 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.

(iv) Words set out at para. 33 of the Notice of Civil Claim

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.

(v) Words set out at para. 39 of the Notice of Civil Claim

"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."

(vi) Words set out at para. 44 of the Notice of Civil Claim

... 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. . .

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. . .

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. . .

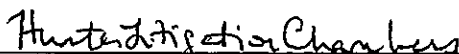
This is part of a historic pattern of inaccuracy by Laura Robinson. . .

... Laura Robinson was proven wrong again.

. . .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.

3. The demand for particulars in respect of paragraphs 7 and 8 calls for evidence and argument and is not a proper demand for particulars.

Dated: May 12, 2014.


HUNTER LITIGATION CHAMBERS
(per: John J.L. Hunter, Q.C/Claire E. Hunter)

Signature of lawyer for the Defendant

These Particulars are delivered by Hunter Litigation Chambers Law Corp, solicitors for the Defendant John Furlong, whose place of business and address for service is 2100 – 1040 West Georgia Street, Vancouver, British Columbia, V6E 4H1. Telephone: (604) 891-2400. Facsimile: (604) 647-4554.