

Court File No. CV-20-00642705-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

DANIEL CARCILLO and GARRETT TAYLOR

Plaintiffs

- and -

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE, CANADIAN HOCKEY LEAGUE, WESTERN HOCKEY LEAGUE, QUEBEC MAJOR JUNIOR HOCKEY LEAGUE, BARRIE COLTS JUNIOR HOCKEY LTD., GUELPH STORM LTD., HAMILTON BULLDOGS FOUNDATION INC., KINGSTON FRONTENACS HOCKEY LTD., KITCHENER RANGERS JR. A. HOCKEY CLUB, LONDON KNIGHTS HOCKEY INC., MISSISSAUGA STEELHEADS HOCKEY CLUB INC., 2325224 ONTARIO INC. o/a MISSISSAUGA STEELHEADS, NIAGARA ICEDOGS HOCKEY CLUB INC., NORTHBAY BATTALION HOCKEY CLUB LTD., OSHAWA GENERALS HOCKEY ACADEMY LTD., OTTAWA 67'S LIMITED PARTNERSHIP c.o.b. OTTAWA 67S HOCKEY CLUB, THE OWEN SOUND ATTACK INC., PETERBOROUGH PETES LIMITED, 649643 ONTARIO INC. o/a 211 SSHC CANADA ULC o/a SARNIA STING HOCKEY CLUB, SOO GREYHOUNDS INC., SUDBURY WOLVES HOCKEY CLUB LTD., WINDSOR SPITFIRES INC., MCCRIMMON HOLDINGS, LTD., 32155 MANITOBA LTD., A PARTNERSHIP c.o.b. as BRANDON WHEAT KINGS, BRANDON WHEAT KINGS LIMITED PARTNERSHIP, CALGARY FLAMES LIMITED PARTNERSHIP, CALGARY SPORTS AND ENTERTAINMENT CORPORATION, EDMONTON MAJOR JUNIOR HOCKEY CORPORATION, KAMLOOPS BLAZERS HOCKEY CLUB, INC., KAMLOOPS BLAZERS HOLDINGS LTD., KELOWNA ROCKETS HOCKEY ENTERPRISES LTD., PRINCE ALBERT RAIDERS HOCKEY CLUB INC., EDGEPRO SPORTS & ENTERTAINMENT LTD., QUEEN CITY SPORTS & ENTERTAINMENT GROUP LTD., BRAKEN HOLDINGS LTD., REBELS SPORTS LTD., SASKATOON BLADES HOCKEY CLUB LTD., VANCOUVER JUNIOR HOCKEY LIMITED PARTNERSHIP and VANCOUVER JUNIOR HOCKEY PARTNERSHIP, LTD c.o.b. VANCOUVER GIANTS, WEST COAST HOCKEY LLP, WEST COAST HOCKEY ENTERPRISES LTD., o/a VICTORIA ROYALS, MEDICINE HAT TIGERS HOCKEY CLUB LTD., 1091956 ALTA LTD. o/a THE MEDICINE HAT TIGERS, SWIFT CURRENT TIER 1 FRANCHISE INC. and SWIFT CURRENT BRONCOS HOCKEY CLUB INC. o/a SWIFT CURRENT, ICE SPORTS & ENTERTAINMENT INC.

o/a WINNIPEG ICE, MOOSE JAW TIER 1 HOCKEY INC. D.B.A. MOOSE JAW and MOOSE JAW WARRIORS TIER 1 HOCKEY, INC. WARRIORS o/a MOOSE JAW WARRIORS, LETHBRIDGE HURRICANES HOCKEY CLUB, 649643 ONTARIO INC. c.o.b. as SARNIA STING, KITCHENER RANGER JR A HOCKEY CLUB and KITCHENER RANGERS JR "A" HOCKEY CLUB, LE TITAN ACADIE BATHURST (2013) INC., CLUB DE HOCKEY JUNIOR MAJEUR DE BAIE-COMEAU INC. o/a DRAKKAR BAIE-COMEAU, CLUB DE HOCKEY DRUMMOND INC. o/a VOLTIGEURS DRUMMONDVILLE, CAPE BRETON MAJOR JUNIOR HOCKEY CLUB LIMITED o/a SCREAMING EAGLES CAPE BRETON, LES OLYMPIQUES DE GATINEAU INC., HALIFAX MOOSEHEADS HOCKEY CLUB INC., CLUB HOCKEY LES REMPARTS DE QUEBEC INC., LE CLUB DE HOCKEY JUNIOR ARMADA INC., MONCTON WILDCATS HOCKEY CLUB LIMITED, LE CLUB DE HOCKEY L'OCEANIC DE RIMOUSKI INC., LES HUSKIES DE ROUYN-NORANDA INC., 8515182 CANADA INC. c.o.b. CHARLOTTETOWN ISLANDERS, LES TIGRES DE VICTORIAVILLE (1991) INC., SAINT JOHN MAJOR JUNIOR HOCKEY CLUB LIMITED, CLUB DE HOCKEY SHAWINIGAN INC. o/a CATARACTES SHAWNIGAN, CLUB DE HOCKEY JUNIOR MAJEUR VAL D'OR INC. o/a VAL D'OR FOREURS, 7759983 CANADA INC. c.o.b. AS CLUB DE HOCKEY LE PHOENIX, 9264-8849 QUEBEC INC. c.o.b. as GROUPE SAGS 7-96 AND LES SAGUENEENS, JAW HOCKEY ENTERPRISES LP c.o.b. ERIE OTTERS, IMS HOCKEY c.o.b. FLINT FIREBIRDS, SAGINAW HOCKEY CLUB, L.L.C., EHT, INC., ~~JOHN DOE CORP. A o/a EVERETT SILVERTIPS HOCKEY CLUB~~, WINTERHAWKS JUNIOR HOCKEY LLC, PORTLAND WINTER HAWKS INC., THUNDERBIRDS HOCKEY ENTERPRISES, L.L.C., ~~JOHN DOE CORP. B. o/a SEATTLE THUNDERBIRDS~~, BRETT SPORTS & ENTERTAINMENT, INC., HAT TRICK, INC., ~~JOHN DOE CORP. C o/a SPOKANE CHIEFS~~, TRI-CITY AMERICANS HOCKEY LLC, and TOP SHELF ENTERTAINMENT, INC. and ~~JOHN DOE CORP. D o/a TRI-CITY AMERICANS~~

Defendants

Proceeding under the *Class Proceedings Act, 1992*

AFFIDAVIT OF BRETT BARTMAN
(Sworn October 28, 2021)

I, Brett Bartman, of the City of Calgary, in Province of Alberta, **MAKE OATH AND SAY:**

1. I played in the WHL with the Spokane Chiefs for three seasons, between 2007 and 2010.
2. Since then, I have obtained a Bachelor's Degree in Kinesiology from the University of Calgary, where I played on the men's ice hockey team for all four years that I attended. Because of my three years of play in the WHL, I received a three-year scholarship from the WHL, and also received a scholarship from the University of Calgary itself. During my summers between my years at the University of Calgary, I worked as a strength and conditioning coach at the Edge School in Calgary.
3. After I graduated, I spent a year playing professional hockey in France. I then returned to my position with the Edge School for a few months, after which I worked as a strength and conditioning coach at the Southern Alberta Institute of Technology (**SAIT**) from 2015 to 2017 with Peak Power Sport Development. In my second year at SAIT, I was also the assistant coach for its collegiate hockey team. I left SAIT in May 2017 to work as a fire fighter with HSE Integrated at Suncor Fort Hills in the oil sands. Since May 2018, I have worked as a fire fighter for the City of Calgary.
4. I know about the matters in this affidavit. If I have made statements of my information and belief, the source of the information and the fact of the belief are specified in this affidavit.

My Background Playing Hockey

5. I grew up in Medicine Hat, Alberta. Beginning in 1995, when I was six years old, I played minor hockey in the Medicine Hat Minor Hockey Association (the **MHMHA**). My father, Terry Bartman, coached in the MHMHA starting in the 1980s and was my coach until my age 13 season.

6. I played in the MHMHA for ten years, until the 2005-2006 season. I then played two seasons on the Medicine Hat Tigers Midget AAA team (2005-2007). I did not experience any hazing or initiation while playing Midget AAA.

My Experience Playing for the Spokane Chiefs

7. I received an offer to play for the Chiefs after attending their training camp in 2007. As a result, my WHL rookie year was the 2007-2008 season.

8. I am aware of the allegations made by the plaintiffs. The abuse and hazing described does not at all reflect what I experienced or witnessed while playing for the Chiefs. In particular, as a rookie, I never experienced any hazing or abuse, including anything resembling the “hot box”, “elephant walk” or “rookie rocket”. I never witnessed, participated in, or heard about such incidences occurring in the WHL, on the Chiefs, or on any other team.

9. If anything like the abuse described in the plaintiffs’ affidavits and statement of claim would have happened to me, I would like to believe that I would have reported it, although as this did not happen to me, I cannot say for sure. I would have reported it to the coaching staff or someone else on the team’s staff, to my billet family or my parents. I trusted my coaches, equipment managers and athletic therapists. I always felt they were in my corner. I did not feel I

needed a formal reporting mechanism, as almost everyone involved with the team had an open door policy. Our team staff were always in their offices—they were the first to arrive and the last to leave. I had a personal relationship with our General Manager, Tim Speltz, who was a close friend of my father, and would have felt comfortable speaking with him as well, although I was more likely to have spoken to one of our coaching staff or athletic therapists first, whom I spent time with on a day-to-day basis.

10. When I was a rookie with the Chiefs, I was treated with respect. This respect began with the team leadership, starting with Mr. Speltz and the head coach (who, during my career, was Bill Peters and Hardy Sauder). They treated players with respect and expected senior players to treat rookies with respect, and to mentor and help rookies fit into the team. This established a positive culture and meant that, when those rookies became senior players, they in turn treated rookies with respect, and acted as mentors, rather than bullies.

11. I had an amazing experience in the WHL, and have nothing but positive things to say about my time playing for the Chiefs. I miss my time in the WHL and, if I could, I would do it all over again.

Garrett Taylor's Affidavit

12. I have reviewed Garrett Taylor's affidavit. Mr. Taylor played in the WHL from 2008-2010, which, as mentioned above, was when I played. Mr. Taylor played for the Lethbridge Hurricanes and then the Prince Albert Raiders.

13. The hazing and abuse he describes while he played for the Hurricanes did not happen to me while I was on the Chiefs, and I never heard of anything like that happening in the WHL

while I was a player. For example, until I read Mr. Taylor' affidavit, I had never heard of the "garbage bag treatment" that he describes experiencing when he was cut from a team.

Fortunately, I was never personally cut or traded from a team and I have never heard of or witnessed a team humiliating a player in the process. Trades happened frequently and at any time, and players typically could not keep the equipment or team bags they were given (especially on smaller teams with smaller budgets I imagine), but the "garbage bag treatment" is not familiar to me.

14. I did not play for the Hurricanes, and I am saddened that Mr. Taylor had a different experience while playing in the WHL. The player experience in the WHL can vary widely from team to team due to different team cultures, history, management and staff, and I can therefore only speak to my experience on the Chiefs. I was saddened and disheartened to hear about these experiences, and sympathize with those who experienced them.

15. That sort of treatment and conduct did not happen to me when I was on the Chiefs and would not have been consistent with our team culture. I do not agree that Mr. Taylor's experience with the Hurricanes reflects the culture of the WHL as a whole, or that there was a "gangster' or 'thug' outlook" that was "present everywhere", as this culture was not present on the Chiefs.

My Post-WHL Hockey Career

16. After my third season with the Chiefs I enrolled at the University of Calgary, where I played four seasons with the University of Calgary and obtained a degree in Kinesiology. I then spent a year playing professional hockey in the Ligue Magnus, the French professional league. I did not experience any hazing or initiation while playing in the Ligue Magnus.

17. Today, other than sometimes attending games, I do not currently have any involvement with the WHL.

SWORN by Brett Bartman of the City of Calgary, in the Province of Alberta, before me at the City of Toronto, in the Province of Ontario, on October 28, 2021 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



DocuSigned by:

Marshall Tongou

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Commissioner for Taking Affidavits
(or as may be)

DocuSigned by:

Brett Bartman

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BRETT BARTMAN

DANIEL CARCILLO et al.
Plaintiff

-and-

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE et al.
Defendants

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PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF BRETT BARTMAN

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