

**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 JEFF CHYNOWETH**  
(Sworn October 29, 2021)

I, Jeff Chynoweth, of the City of Calgary, in Province of Alberta, **MAKE OATH AND SAY:**

1. I am the General Manager of the Western Hockey League's (the **WHL**) Calgary Hitmen. I have held this position since July 2017.

2. I have worked in the WHL in a number of roles and for several teams since 1986, including: Public Relations and Marketing for the Spokane Chiefs (1986-1987), Public Relations and Marketing for the Medicine Hat Tigers (1987-1988), Public Relations and Marketing for the Brandon Wheatkings (1988-1989), Public Relations and Marketing for the Lethbridge Hurricanes (1989-1990), Assistant General Manager of the Lethbridge Hurricanes (1990-1991), Director of Hockey Operations for the Red Deer Rebels (1991-1995), and Vice-President (1995-2001), General Manager (2001-2017) and President (2008-2017) of the Edmonton/Kootenay Ice. In addition, my family were the majority owners of the Edmonton/Kootenay Ice from 1995 to 2017.

3. My father, Ed Chynoweth, was the first full-time President of the WHL. My brother, Dean Chynoweth, played in the WHL for the Medicine Hat Tigers before being drafted into the NHL, and my son, Ryan Chynoweth, played in the WHL for the Everett Silvertips, Tri-City Americans and Kootenay Ice.

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 Experience with Hazing in Hockey**

5. Growing up, I played hockey in Saskatoon and Calgary up to the level of Bantam AAA. During my time as a player, I did not experience or witness any abusive hazing.

6. I am aware of the allegations made by the plaintiffs. The abuse, hazing and general atmosphere described does not at all reflect my understanding of the player experience in the WHL. Throughout my 35 years of management experience with the WHL, I have not witnessed or heard of any hazing or initiation incidents like to those described by the plaintiffs. The marked differences between the hazing that I am aware of and the hazing described by the plaintiffs is that rookies were never forced to participate, and it was never violent or sexual.

7. At no time, from the 1980s to today, has the sort of abusive hazing described by the plaintiffs been acceptable on the teams I have worked with. I have never heard of the “rookie rocket” or the “elephant walk”, of players being beaten with hockey sticks, or of players being sexually abused through hazing. This sort of abuse is horrific and, in my view, has no place in society, let alone in major junior hockey.

8. That said, there has been an attitude shift between 1986 and today as to all forms of hazing in the WHL. In the 1980s, some teams that I am aware of had an initiation ritual in which the veterans shaved the rookies’ private parts. I also believe that this type of initiation took place in the National Hockey League in the same time period. I have seen the “hot box” occur on a team bus, although I do not recall on which team, and I have only seen it once or twice, in the 1980s or 1990s. But the “hot box” that I saw was not as the plaintiffs have described it. The players were not naked. And I have never heard of tobacco spit or urine being poured through the vents. I do

not recall being alarmed by what I saw at the time, the way I was alarmed when I learned about the allegations made by the plaintiffs.

9. In the 1990s, I recall other forms of more moderate hazing. For example, I recall that in the mid-1990s through the early 2000s on the Red Deer Rebels and Kootenay Ice, on a road trip early in the season after a victory, the rookies had to stand at the front of the bus and sing a funny song, make a joke, and do an impression. If a rookie did not do so, they had to “run the gauntlet”, in other words, run back down the aisle of the bus while players tried to push them into the seats.

### **My Experience with the Calgary Hitmen**

10. I am proud to say that in the four years that I have been General Manager of the Hitmen, I am not aware of any incidents of abusive, humiliating or degrading hazing. To prevent hazing, abuse and bullying on the Hitmen, management, coaches and players participate in extensive anti-hazing training throughout the year. This training conveys the message to everyone in the organization that hazing—even moderate hazing—is simply not acceptable. The training also encourages anybody who sees or experiences hazing to come forward and speak to someone in a leadership position on the team, or, if that person is not comfortable doing so, to speak to the Hitmen’s dedicated Club Liaison Officer (who is also the Senior Director of Corporate Security for Calgary Sports and Entertainment Corporation) who reports directly to the Security Network, an independent structure from the Hitmen’s and the WHL’s management structure.

11. Ultimately, though, formal training and regulations are meaningless if teams themselves do not take the idea of respect for and among players seriously. Nothing is more effective at preventing hazing than role models who lead by example. When rookies see team leaders, such as coaching staff, captains and veteran players treat them with respect, they will do the same once

they become veterans. In my view, this is how a team creates a positive culture, which is perhaps the most important factor in the player experience at the major junior level.

12. The Hitmen have had success in creating a positive team culture. Team management, along with head coach Steve Hamilton, have worked hard to make sure players feel comfortable speaking up about any concerns they have, and understand the value of respecting one another. We lead by example, and select captains who we believe will emulate this philosophy. No matter how good the Hitmen are as a team in terms of our players' hockey skills, most of our players will not make it to the NHL. All the same, our organization is dedicated to helping these young men grow as individuals and setting them up for success as adults.

13. While on some teams I have worked with, the rookies were responsible for team chores like loading and unloading the bus, this is not a practice on the Hitmen. Everyone, including team staff, helps with loading the bus, carrying the stick bag, and picking up pucks after practice. This is because of a combination of efficiency and equality.

#### **My Son's Experience with Hazing in Hockey**

14. My son, Ryan Chynoweth, joined the Everett Silvertips in 2010-2011 when he was 15 but only played one game that year. Ryan's first full rookie year was 2011-2012. The only hazing or initiation that Ryan described during either season was a rookie party to welcome rookies to the team. When Ryan told me about the party afterward, he made clear that neither he nor any of the other rookies were forced to drink. The party was tame, and focused on team bonding. Similarly, the leadership group on the Hitmen (captains and veteran players) are instructed to never force or even encourage any rookies or other underage players to drink at any social events the players have.

**SWORN** by Jeff Chynoweth of the City of Calgary, in the Province of Alberta, before me at the City of Toronto, in the Province of Ontario, on October 29, 2021 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



DocuSigned by:

*Marshall Tongen*

EB91330899384D9

Commissioner for Taking Affidavits  
(or as may be)

DocuSigned by:

*Jeff Chynoweth*

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**JEFF CHYNOWETH**

DANIEL CARCILLO et al.  
Plaintiff

-and-

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE et al.  
Defendants

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

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PROCEEDING COMMENCED AT  
TORONTO

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**AFFIDAVIT OF JEFF CHYNOWETH**

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