

**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 SCOTT ABBOTT**  
(Sworn October 29, 2021)

I, Scott Abbott, of the Town of Caledon, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am the owner and founder of the North Bay Battalion of the Ontario Hockey League (the **OHL**). Before purchasing the Battalion, I owned the Caledon Hockey Club, a second tier Junior A team. I sold the Caledon team after being awarded the opportunity to purchase an OHL franchise on December 3, 1996, which became the Battalion.

2. Before my ownership positions, I worked in the news business for 11 years, mainly as a sports journalist for the *Sherbrooke Record* and the *Canadian Press*. I am also the co-creator of the board game *Trivial Pursuit*.

3. 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 the Battalion**

4. I founded the Brampton Battalion in 1996. The Battalion played their first season in 1998. In 2013, the Battalion moved to North Bay, Ontario, and became the North Bay Battalion.

5. Before purchasing the Battalion, I had no formal involvement in the OHL. Any information that I have about hazing is therefore limited to after 1996, when I began attending governors' meetings for the Battalion. I gained a general understanding from these meetings that, in the 1970s and 1980s, there was a greater tolerance, among players, team leadership, and within communities generally, for some forms of hazing than there was when I became involved with the OHL in the late 1990s.

6. I have been very closely involved with the Battalion since its first game 1998—I have missed only seven games in the Battalion’s history, including away games. I am often on the team bus. I am not aware of any humiliating, degrading or abusive hazing on the team. By the time the Battalion joined the OHL, even modest hazing was not considered acceptable, so there was never an opportunity for a culture involving hazing to develop on the team.

7. I recall that in the Battalion’s early years, rookies had to clean up after practice and pack the team bus. But we no longer delegate team chores to rookies to reduce any differential treatment of players.

8. As an organization, the Battalion focus on making sure that players feel safe and respected. We host training sessions for management, coaches and players that focus on anti-hazing and encourage anyone experiencing hazing or bullying to speak out. Our coaching staff and management are always available to players who wish to report concerns or complaints. Players can also speak with the Battalion’s assigned Club Liaison Officer, who acts as an independent, confidential reporting mechanism for the players, or a representative from the Canadian Mental Health Association under the OHL’s Talk Today program.

9. I am aware of the allegations made by the plaintiffs. The abuse, hazing and general atmosphere described has never and will never be acceptable on the Battalion. I chose to become a team owner in the OHL because I wanted to support the development of the game and major junior hockey. I would never tolerate presiding over a culture of abuse and would never hire a coach or staff member that I thought might tolerate or condone such behaviour. I am sad to hear that this has not always been the case for some players on some teams. In my experience, the

type of toxic team culture that would support abusive player hazing is the exception in the OHL, not the rule.

10. I am also aware of the plaintiffs' descriptions of alcohol and drug abuse in relation to hazing. The Battalion have very strict rules on drinking and drug use. For example, players are forbidden from drinking at team-sanctioned events, whether or not they are of legal drinking age, and we do not condone drug use at any time. As far as I am aware, our players do not host rookie parties. I have heard that, on one team, although I cannot remember which, a coach shared a beer with players while on the team bus. Even this would not be acceptable on the Battalion, nor, in my view, on most OHL teams.

**SWORN** by Scott Abbott of the City of Caledon, in the Province of Ontario, 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 Torgov*  
E591330099304D8...  
Commissioner for Taking Affidavits  
(or as may be)

DocuSigned by:  
*Scott Abbott*  
DD83AD63949C4D8...  
**SCOTT ABBOTT**

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 SCOTT ABBOTT**

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**BENNETT JONES LLP**

3400 One First Canadian Place  
P.O. Box 130  
Toronto, ON M5X 1A4

**Michael A. Eizenga (#31470T)**

Email: eizengam@bennettjones.com

**Ranjan K. Agarwal (#49488H)**

Email: agarwalr@bennettjones.com

**Ashley Paterson (#61973B)**

Email: patersona@bennettjones.com

Telephone: 416.863.1200

Lawyers for the defendants