

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 TERRY BARTMAN
(Sworn October 28, 2021)

I, Terry Bartman, of the City of Medicine Hat, in the Province of Alberta, **MAKE OATH AND SAY:**

1. My son, Brett Bartman, played in the Western Hockey League (the **WHL**) for the Spokane Chiefs from 2007 to 2010. In addition, I have been involved in amateur hockey in various capacities throughout my entire life. I also owned a construction company in Medicine Hat.

2. 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 Amateur Hockey

3. I grew up in Medicine Hat and started playing hockey at age 6. I played up to the Junior B level, where I played for the Medicine Hat Cubs in the Alberta Junior B Hockey League.

4. Starting in the 1980s, I volunteered as a coach in the Medicine Hat Minor Hockey Association. I coached Brett in this league from 1995 (when he was 6) until he was 14. In addition, when my friend Tim Speltz became the General Manager of the Chiefs in 1990, he recruited me as a player scout for the Chiefs. I worked as a scout for the Chiefs for 30 years. As a scout, I was not paid a salary, but my disbursements were reimbursed.

My Experience with Hazing in Hockey

5. In my experience as a player, a coach, a scout and the parent of a player, I have never encountered or heard of abusive hazing. Until learning about this lawsuit, I had never heard of the “hot box”, the “rookie rocket”, or the “elephant walk”, or any other physically or sexually abusive hazing.

6. The plaintiffs state that abusive hazing was widespread in the WHL, including during Brett's time in the league, and that there was a culture of abuse. I am surprised by those statements.

7. I can only speak in any detail about the Chiefs, because that was the only WHL team I was involved with. The conduct described by the plaintiffs is inconsistent with what I understand of the player experience with the Chiefs organization. I was thrilled when my son joined the Chiefs, despite having to move hundreds of miles away from home to do so. I knew from my previous work as a scout for the team that the Chiefs had a supportive and respectful culture, including toward rookies. If I thought that Brett would be joining a team with the sort of culture the plaintiffs describe, I would have never encouraged (or allowed) him to play for the Chiefs.

8. The only differential treatment Brett ever mentioned experiencing as a rookie with the Chiefs was having to do basic chores for the team, like cleaning up after practice. This resembled my experience in amateur hockey as a coach, parent and player. But I would not have called this "hazing". Rather, it is like "earning stripes", "climbing the ladder", or gaining experience in any organization. Less experienced workers in my construction company, for example, start with a shovel, not by building cabinets.

9. In my opinion, Brett's experience playing with the Chiefs had an enormously positive effect on his life. On top of getting the opportunity to play at the highest level of amateur hockey, he also grew as a person. Before playing for the Chiefs, Brett was not that interested in academics, and had suggested that he did not intend to pursue a post-secondary education. But after his time with the Chiefs, Brett attended the University of Calgary and graduated with a degree in Kinesiology. In my opinion, Brett's academic success is his biggest accomplishment.

10. Brett's change in view toward education resulted from the Chiefs' leadership, which placed a significant emphasis on education. For example, the captains of the Chiefs during Brett's rookie and second year with the team were Chris Bruton and Justin McCrae, respectively. Chris and Justin were excellent mentors to Brett, and both encouraged Brett to consider going to university after his major junior career. Likewise, Bill Peters, the head coach of the Chiefs, mentored Brett about the value of a university degree. Justin Falk, a veteran player on the Chiefs during Brett's time with the team and another notable mentor for Brett, set a great example of commitment to both hockey and education for the rookies. The Chiefs valued balance and success on multiple fronts. Differential treatment of rookies was not part of this agenda.

11. The interest that the leaders on the Chiefs had in Brett's future as a person, not just as a hockey player, is in my opinion impossible to reconcile with the sort of atmosphere described by the plaintiffs.

SWORN by Terry Bartman of the City of Medicine Hat, 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 Torgov

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Commissioner for Taking Affidavits
(or as may be)

DocuSigned by:

Terry Bartman

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TERRY BARTMAN

DANIEL CARCILLO et al.
Plaintiff

-and-

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE et al.
Defendants

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PROCEEDING COMMENCED AT
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