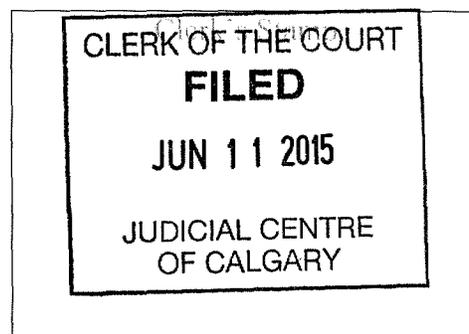


COURT FILE NO. 1501 - 06621
COURT Court of Queen's Bench of Alberta
JUDICIAL CENTRE Calgary



PLAINTIFF(S) Shawn Bevins and
Spatha Tactical Equipment Inc.
DEFENDANT(S) Canada's National Firearms Association,
Sheldon Clare,
Bill Rantz,
Blair Hagan,
Jerrold Lundgard,
Robert Bracken,
Dwayne Gorniak,
Francis Tenta, and
Charles Zach

DOCUMENT Statement of Claim

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NOTICE TO DEFENDANT(S)

You are being sued. You are a Defendant.

Go to the end of this document to see what you can do and when you must do it.

[Pleading begins on following page]

Statement of facts relied upon:

The Parties

1. Shawn Bevins is a resident of Drummondville, Quebec.
2. Spatha Tactical Equipment Inc. ("**Spatha**") is a corporation incorporated pursuant to the laws of Quebec. Shawn Bevins is the Director of Spatha.
3. Spatha sells firearms-related equipment and seeks to enter into defense contracts with the Government of Canada.
4. Canada's National Firearms Association (the "**NFA**") is a corporation incorporated pursuant to the *Canada Corporations Act* and continued under the *Canada Not-for-profit Corporations Act* S.C. 2009, c. 23, as amended (the "**Act**").
5. References to "members" in this Statement of Claim are to members of the NFA
6. The NFA's Registered Office is 9683 - 45 Ave., Edmonton, Alberta, T6E 5Z8.
7. Shawn Bevins is and had been a member of the NFA since January 2012 (subject to paragraphs 87 to 88 herein).
8. Spatha became a member of the NFA on 19 May 2015 and has been a member in good standing since that date.
9. Sheldon Clare ("**Clare**") is a resident of Prince George British Columbia.
10. Bill Rantz ("**Rantz**") is a resident of Port Sydney, Ontario.
11. Blair Hagan ("**Hagan**") is a resident of Delta, British Columbia.
12. Jerrold Lundgard ("**Lundgard**") is a resident of Peace River, Alberta.
13. Robert Bracken ("**Bracken**") is a resident of Dartmouth, Nova Scotia.

14. Clare, Rantz, Hagen, Lundgard and Bracken (collectively, the “**Clare Directors**”) purport to be Directors and Officers of the NFA, however the qualifications of each of them to occupy the positions of Directors and Officers of the NFA is denied for the reasons described herein.
15. Claude Colgan, Ericka Clarke, Kurt Luchia and Darlene Mackenzie are Directors of the NFA, having been so elected in the fall of 2014. Stephen Buddo is a Director of the NFA, having been so elected in the fall of 2013 (collectively, the “**Independent Directors**”).
16. Dwayne Gorniak, Francis Tenta, and Charles Zach (collectively, the “**Illegal Directors**”) are persons who are purported to have illegally replaced Claude Colgan, Ericka Clarke and Darlene Mackenzie on the Board of Directors in June of 2015 during the “Clare Board Takeover Attempt”, an unlawful attempted restructuring of the Board of Directors by the Clare Directors to seize control of the NFA as particularized below.

The Facts

Background Facts

17. Per its publications the NFA was formed for, *inter alia*, the following purposes:
 - a. To offer members “...information on all aspects of safe and responsible use of firearms as well as current information on changes in Canada's laws”;
 - b. To be “...Canada's leader in the quest for fair and practical firearm and property rights legislation”; and
 - c. To be "Canada's firearms voice in Ottawa".
18. Shawn Bevins advanced these goals as Executive Vice President of the NFA during his term of office, as a volunteer starting in January 2012 until his wrongful dismissal in February 2015 as described herein, both as a lobbyist and a salesperson for the NFA. Shawn Bevins’ activities included travelling, speaking, entertaining and engaging persons of influence, soliciting potential clients for the business operations of the NFA and managing existing clients, expanding the membership of the NFA, generating or enhancing revenues for the NFA and other related duties, all across Canada and the United States (the “**Bevins Activities**”).

19. Shawn Bevins performed all of his duties in an exemplary manner during his term.
20. As a result of having such an active and high profile public position, speaking to and with a huge public audience including public figures and prominent people, the public came to see Shawn Bevins as the face of the NFA. The President of the NFA, Clare, didn't like that fact as he saw the NFA as his personal domain, and Clare wanted to maintain control over his domain through any means he could.
21. When the Independent Directors were elected in the fall of 2014 they demanded of Clare certain transparency in the operations of the NFA so that they could discharge their duties as Directors of the NFA; Clare refused to allow the independent directors access to the required corporate minutes and financial records necessary to perform their duties.
22. As it turned out, under the management of the Clare Directors the NFA had failed to maintain appropriate corporate records and had failed to maintain proper financial records and audits since at least 2010.
23. Shawn Bevins supported the Independent Directors and was wrongfully dismissed by Clare on 24 February 2015 from his office and employment for this support with false allegations of cause manufactured by Clare, and all with the full knowledge and support of each of the other Clare Directors.
24. Clare proceeded to attempt to exclude the Independent Directors from NFA operations by denying access to information, which is the subject of other litigation in Court of Queen's Bench of Alberta Action Number 1503 03309, being *Claude Colgan, Ericka Clarke, Darlene Mackenzie, Kurt Luchia and Stephen Buddo v Canada's National Firearms Association and Sheldon Claire, Blair Hagan, Bill Rantz and Jerrold Lundgard* (the "**Director's Litigation**").
25. Following the wrongful dismissal of Shawn Bevins, Clare and the Clare Directors undertook a course of character assassination, defamation and harassment designed to exclude Shawn Bevins from the NFA and to deliberately destroy his ability to earn an income or function in his capacity as a firearms lobbyist in Canada.

General Averments

26. The Clare Directors and each of them owed duties under the Act and at common law to ensure that each of them individually, and all of them collectively, were not permitted to

abuse their positions as directors or officers of the NFA or to neglect to take steps to prevent the abuse of the offices of directors and officers of the NFA to the detriment of that organization or anybody for whom harm would be reasonably foreseeable as a result of the breach of those duties, which includes the NFA itself, Shawn Bevins, Spatha and all members of the NFA

27. Contrary to and in breach of the aforesaid duties, the Claire Directors and each of them conspired with each other or otherwise permitted and encouraged each other to undertake the oppressive, unlawful and malicious activities described herein, and intentionally failed to discharge their duties as directors and officers of the NFA to oppose and prevent or mitigate the damages flowing from the oppressive, unlawful and malicious conduct described herein.
28. Accordingly, the Clare Directors and each of them are directly liable and vicariously liable for the injuries inflicted upon the Plaintiffs by each of the Clare Directors howsoever caused.
29. By virtue of the Clare Directors undertaking their wrongful, malicious, deliberate, unlawful and intentional actions while occupying positions as Directors and being Officers of the NFA, the NFA is liable for all and each of their actions as complained of herein.
30. The wrongful acts complained of herein were deliberate, malicious, unlawful and intentional, warranting aggravated damages, punitive damages and an enhanced award of costs against the Clare Directors, the NFA and each of them in favor of the Plaintiffs.
31. The injuries and damages suffered by the Plaintiffs for the wrongful acts of the NFA and the Clare Directors were either intentional or were reasonably foreseeable and were in any event directly caused by wrongful acts of the NFA and the Clare Directors.
32. The Plaintiffs are entitled to and claim all remedies under the Act for all actions against them that are or were oppressive, unfairly prejudicial or unfairly disregarded their interests as members of the NFA, and as an Officer in the case of Shawn Bevins.

Wrongful Dismissal: An Egregious and Humiliating Termination

33. In or around January 2012 Shawn Bevins became a volunteer with the NFA, primarily providing services related to firearms activism.
34. Following over a year of outstanding service as a volunteer for the NFA, in or around 15 May 2013 Shawn Bevins became employed with the NFA in the capacity of Executive Vice President.
35. Mr. Bevins' starting salary with the NFA was of \$70,000 per year initially, and his salary was raised to \$80,000 per year on May 22, 2014.
36. During the term of his employment Mr. Bevins received:
 - a. bonuses of \$10,000 in 2013 and \$1,000 in 2014; and
 - b. medical, medication and life insurance benefits from the NFA with an estimated value of \$10,000 per year.
37. During his term of service Shawn Bevins preformed his duties in an exemplary fashion. Some specific accomplishments arising through the Bevins Activities include:
 - a. a considerable increase in the membership of the NFA;
 - b. increased advertising revenues from the sale of advertising in NFA publications;
 - c. raising over \$300,000 for the NFA through his management of a “Big Freakin’ Gun” contest; and
 - d. achieving the status of a very effective and respected lobbyist for the firearms community.
38. On 24 February 2015 Sheldon Clare purported to unilaterally remove Shawn Bevins from office and fire him from his employment with the NFA. This termination was without justification.

39. Clare purported to terminate Shawn Bevins from office and fire him from his employment not in person but instead by a public announcement on social media, specifically by a posting in Facebook as follows.
40. In particular, at 1:57 PM on 24 February 2015 or shortly thereafter Shawn Bevins discovered that his office and employment had been terminated by Clare when he read on Facebook in the NFA Admin Group, a Facebook group or page controlled by the Clare Directors, a posting authored by Clare which read as follows:

“Effective immediately Mr. Shawn Bevins no longer works for, nor is he associated with Canada's National Firearms Association. Please revise any NFA contact information accordingly. As this is an internal personnel matter, there will be no public discussion of the reasons for this change.”

the “**Facebook Termination**”.

41. Subsequent to the Facebook Termination, later on 24 February 2015 Shawn Bevins received correspondence from Clare, sent by e-mail at 3:52 PM, wherein Clare gave further notice to Shawn Bevins of his termination of employment, this time alleging cause and accusing Shawn Bevins of:
 - a. Engaging in efforts to have Mr. Clare removed from office;
 - b. Failure to submit expense receipts; and
 - c. Consumption of alcohol,

the “**Alleged Cause**”.

42. The Alleged Cause is untrue and was known to be untrue at the time Clare asserted the Alleged Cause.
43. The truth of the matter is that Clare had come to consider the NFA to be an organization he was entitled to be president of, and that he was entitled to unilaterally control for his personal benefit without any scrutiny or checks or balances in place. Clare considered both the Independent Directors and Shawn Bevins as threats to his unilateral control of this not-for-profit organization and its million-dollar revenues.

44. Clare saw Shawn Bevins succeeding greatly in the position of Executive Vice President, and saw Shawn Bevins as a threat to his continued autocratic authority over the NFA due to Shawn Bevins' recognition of the rights of the Independent Directors.
45. It was for that motive, and not for the Alleged Cause, that Clare wrongfully terminated Shawn Bevins.

Wrongful Dismissal: Circumvention of the Bylaws

46. The NFA has bylaws promulgated in or around October of 2009 (the “**Bylaws**”).
47. Amendments to the Bylaws were proposed in 2013 however those proposed revisions were never ratified by the membership of the NFA and never came into effect.
48. The Bylaws of the NFA govern the duties, appointment and removal of Officers, including the office of the Executive Vice President. In particular the Bylaws provide:

29. The officers of the association shall be president, executive vice-president, secretary and treasurer and any such other officers as the board of directors may determine. With the exception of the president, officers need not be directors. Except for the president, all officers and staff members report to the executive vice-president, who reports to the board.

30. All officers are chosen by majority vote of the board of directors and serve for a two-year renewable term. The term of the director serving as president is that determined by his or her term as a director and the majority support of the board of directors.

31. The officers of the association shall hold office from the date of appointment until their successors are appointed in their stead. An officer may be removed for cause outside of the normal two year term by a resolution requiring a 2/3 majority vote of the board of directors.

49. At the time of the wrongful dismissal of Shawn Bevins, no successor had been appointed to the office of Executive Vice President and no Board of Directors resolution had been passed removing Shawn Bevins for cause.

50. The Independent Directors, constituting 50% of the Board of Directors, did not and would not have voted to remove Shawn Bevins from office, which was known to the Clare Directors at the time of the wrongful dismissal.
51. The unilateral wrongful dismissal of Shawn Bevins by the Clare Directors without referring the matter to the Board of Directors was a deliberate effort to circumvent the rights of the Board of Directors under the Bylaws to determine whether or not Shawn Bevins should be dismissed from his office and employment. This deliberate circumvention was undertaken to intentionally neutralize the ability of the Independent Directors to perform their duties as Directors and prevent the Clare Directors from taking this unlawful, unilateral action.
52. As a consequence of the dismissal of Shawn Bevins from the NFA not being conducted in a manner that complied with the Bylaws, the dismissal was wrongful at common law and unlawful by statute.
53. Further, the wrongful and unlawful dismissal in disregard of the NFA's Bylaws comprise an oppressive action upon Shawn Bevins as an officer, a conspiracy by the Clare Directors to exceed and abuse their statutory authority, and a breach the fiduciary and common-law duties owed by the Clare Directors to the NFA and to Shawn Bevins.
54. The Clare Directors and each of them are personally liable for all damages suffered by Shawn Bevins.

Defamation: Wrongful Dismissal Letter

55. These Alleged Cause for dismissal is false, acknowledging however that Shawn Bevins has consumed alcohol although such consumption was not to the detriment of his office and employment with the NFA.
56. The Alleged Cause was known by Clare and the Clare Directors to be untrue and constitute false accusations and pretenses manufactured by Clare.
57. Subsequent to or concurrently with delivering the dismissal letter to Shawn Bevins, Clare circulated the dismissal letter to others within the NFA who had no need to see it, and outside of the NFA to people who had no right to see it, including but not limited to Allison Ellis, a member of the public.

58. Accordingly, by this publication the Clare Directors defamed Shawn Bevins and caused damages.
59. These defamatory and injurious falsehoods made and published by the Clare Directors, or any one or more of them, were malicious and specifically designed and intended to damage Shawn Bevins' character and reputation, and impede him in obtaining alternate work as a firearms lobbyist or advocate.

Defamation: Further Publications and Injurious Falsehoods

60. Following the wrongful dismissal and the publication of the wrongful dismissal letter, Clare further defamed Shawn Bevins by publishing on the internet on 25 February 2015, in a Facebook group called the "NFA Admin Group", statements in reference to Shawn Bevins which clearly infer that Shawn Bevins:
 - a. stole or misappropriated NFA money;
 - b. stole or misappropriated NFA property
 - c. solicited prostitutes;
 - d. misused an NFA credit card;
 - e. got drunk;
 - f. failed to turn in receipts from his NFA credit card; and
 - g. participated in "intrigues" to have Mr. Clare removed from office.
61. These false, malicious and defamatory statements were published in a Facebook group that included, to Clare's personal knowledge, Shawn Bevins' wife.
62. Shawn Bevins' wife did in fact see these malicious and defamatory statements published on the Internet, which had exactly the destructive effect on Shawn Bevins' wife that is foreseeable from such an act of pure malice.
63. Mr Bevins' children also saw the defamatory statements and asked Mr Bevins about the malicious, untrue and defamatory statements regarding the use of prostitutes, which had

exactly the destructive effect on the children that is foreseeable from such act of pure malice.

Wrongful Interference with Economic Interests: Employment Insurance

64. Following his wrongful dismissal Shawn Bevins' applied for Service Canada for Employment Insurance benefits ("EI") due to his unexpected unemployment.
65. Ginger Fournier, the office manager of the NFA, reported to Service Canada that:
 - a. Shawn Bevins was fired for cause; and
 - b. the cause was a failure to submit receipts.
66. The stated cause was untrue in that all expense receipts had been turned in. This was just another pretext for Clare's attempt with the Clare Directors to seize control of the NFA.
67. As a result of the foregoing, Ginger Fournier lied to and deceived Service Canada, which deception resulted in the denial of EI benefits to Shawn Bevins and caused direct financial injury to Shawn Bevins.
68. The damages calculated for this loss is calculated at the rate of \$524 per week as the benefit that would be payable to Shawn Bevins, for the maximum period of 45 weeks, yielding damages of \$23,580.00.
69. As Ginger Fournier was speaking for the NFA at the time she made the false statements, the NFA is liable for the damages.
70. Shawn Bevins does not know which of the Clare Directors instructed Ginger Fournier to lie to Service Canada but will seek this information in the course of this litigation.

Wrongful Interference with Economic Interests: Members of Parliament

71. In furtherance of Clare's campaign to publicly humiliate and degrade Shawn Bevins' character and reputation, and interfere with Shawn Bevins' economic interests, Clare obtained documents purporting to show a criminal record regarding impaired driving charges against Shawn Bevins and under the apparent authority of the NFA, e-mailed those documents to various members of Parliament with whom Shawn Bevins conducted

the business of a firearms lobbyist and advocate, and with which government Spatha sought to do business.

72. This action served no legitimate purpose, but was motivated solely by the malicious desire of Clare to undermine the Plaintiffs and each of them in conducting future business with the government of Canada, either through Shawn Bevins in the capacity as firearms lobbyist/advocate, or Spatha as a supplier to the government of Canada under defense contracts.
73. This malicious action was unlawful, having breached Shawn Bevins' privacy rights as well as being unauthorized by the NFA or being in excess of Clare's authority, and constituted an unlawful act of harassment.
74. This further malicious action in furtherance of Clare's character assassination campaign against Shawn Bevins was intended to and did cause damages to John Bevins and injury to his and Spatha's business opportunities for which Clare and the NFA are liable.

Defamation: Clare and Robert Bracken

75. Robert Bracken is the Maritimes Director of the NFA and in that capacity wrote and transmitted to Morley Knight, a member of the public, on or about June 1, 2015 at 11:10 am the following statement in writing:

“...: the McCosh funds were handled by Shawn Bevins. This is the reason they weren’t distributed....”.
76. The "McCosh funds" were funds raised by donations from NFA members expressly for the purposes of assisting the McCosh family as they went through legal proceedings relating to a firearms issue.
77. Instead of giving the McCosh funds to the McCosh family as represented to and intended by the donors, Clare decided to retain the funds in the NFA for its general use. Clare thereby deprived the McCosh family of the money raised on their behalf from the members of the NFA and the public for their benefit,, effectively misappropriated the donated money onto the NFA, and deceived the donor members.

78. The McCosh funds were trust funds held pursuant to either an express trust or a Quistclose trust, and Clare's retention of those funds in the NFA for its general use comprises a breach of trust and fiduciary duty by the NFA as trustee.
79. As part of the character assassination of Shawn Bevins, Clare told Bracken the untrue statement that the McCosh funds were not given to the McCosh family for some reason related to Shawn Bevins.
80. In turn, Bracken published that statement to Morley Knight as aforesaid.
81. Similarly, Robert Bracken re-published that statement to Kelly Mac Keigan, a member of the public, at the Sydney Mines 2nd Annual Outdoor Hunting and Fishing Show on or about April 18 or and 19.
82. The statements were untrue and were defamatory, and caused damages to Shawn Bevins.
83. In fact, at no time did Shawn Bevins have signing authority on any of the NFA bank accounts, and had no lawful authority or practical ability to cause the NFA to make the payment of the trust funds to the McCosh family. That ability rested with Clare and others of the Clare Directors.

Defamation: NFA Website Publication

84. The NFA and the Clare Directors published the following statement on the NFA Website on May 29, 2015 and e-mailed it to the entire e-mail member database and news service subscribers of the NFA, including non-member subscribers, estimated to be over 70,000 people and organizations:

Date: Friday, May 29, 2015
NFA Statement

This year started off generally well with the NFA well-positioned to take a strong role in influencing government policies prior to the election. Our social media sites were poised to flood our supporters and interested persons with information on firearms related government policies and suggestions with actions to take. The volunteer site administrators were working well together and generally all was progressing nicely towards a strong push on government bills. We had intervened in two important Supreme Court of Canada cases with firearms rights ramifications, and were well positioned to gain as a result of our significant participation in

both of them, were they to be victorious as we rightly expected that they would be. In short, we were looking quite solid with good support from volunteers, and an enthusiastic group of new directors.

In early June, the NFA will be heading to New York to make a brief presentation on ISACS and to observe the discussions on UN attempts to go after more civilian arms rights in the Programme of Action Second Meeting of Government Experts, hosted at UNHQ June 1-5, 2015. The NFA has been working on getting consulting status for ECOSOCS/UN. This will mark our eighth year of attending UN meetings.

Things changed dramatically after Shawn Bevins was terminated for cause. Mr. Bevins' termination was duly preceded by a full course of progressive disciplinary action for several matters related to his self-acknowledged drinking problem, failure to provide receipts, misuse of the NFA credit card, and undermining of executive officers. He was duly counselled, warned, given two letters of reprimand, and then terminated. His termination prompted subsequent demands by a group of 5 directors to have him reinstated. At the same time, these five directors sued the NFA, ostensibly to compel the production of corporate records which are freely available to them. In parallel with such legal action, the NFA president and other executive officers and others have been attacked on social media, and defamed by several individuals reacting and speculating without cause or evidence. That situation was clearly in evidence in the failed attempt to make the president quit at the recent AGM in Quebec City.

The NFA has lost credibility, income, and donations because of this public spectacle. Nothing justifies the behaviour of those directors who conspired to hold a coup, and then followed it up by muckraking on social media, and curtailing our formerly highly effective Facebook marketing program by removing the duly constituted administrators. They chose to initiate an unnecessary court action which the NFA was forced to defend against. The executive has every reason to believe that this situation is the reason why some of our proposed amendments to Bill C-42 were ignored, in spite of initially being favourably received. In other words, those actions have damaged our organization, its reputation, and our ability to carry out our main function – of changing firearms law. In their desire to take control of the NFA, they have shown a total lack of scruples and no consideration for the long term damage that they are inflicting upon this organization.

The conspiracy to take over the AGM in Quebec City was clearly driven by misplaced motives of loyalty to Mr. Bevins and false assumptions of wrong-doing that have only served to damage our cause. The misuse of the NFA logo and proprietary logos has also caused the NFA to be exposed

to risk at unapproved events which claim to be NFA activities, but which are continued actions designed to disrupt and destabilize the NFA and its leadership.

The NFA has had its financial records reviewed by an accountant annually since 2010. While not a full audit, this financial review process has been acceptable to the membership and directors since its inception in 2010. The reason for this process in the early years was quite simply to save the cost of a full audit, and yet maintain a reasonable third party check on the operations of our financial staff. As reported to the directors, the executive instructed the general manager to obtain quotes for, and conduct a formal audit of NFA finances for the preceding two years.

The consensus of our last directors' meeting prior to March was that a full formal audit instead of the financial review as conducted previously was necessary at this point, particularly with so many new and inexperienced directors being recently elected or acclaimed to the board, and all were canvassed as to who the auditor should be. The five that responded all approved KPMG, which was contracted to conduct the audit. KPMG advised us that it would only be necessary to audit 2013 and 2014, and tie that to our Notice to Reader unaudited financial review from 2012. This audit has now been completed, and permits a full picture of our financial situation which should hopefully ease the concerns of anyone who has conjectured that there was anything amiss in the NFA. The results of this audit were provided to directors at the AGM and presented to the members in the treasurer's report. It is worth emphasizing that no improprieties whatsoever were unearthed by the auditors, because none exist.

In short, there is nothing amiss with the NFA management, or its finances, and the auditor's report is proof of that fact. It is available in the office to view, but before being officially called audited the statements must be approved and certified. Your executive will continue to work towards the best interests of the NFA.

The NFA National Executive

Jerrold Lundgard, Secretary
Bill Rantz, Treasurer
Blair Hagen, Executive VP Communications
Sheldon Clare, President & CEO

85. The statements published by the NFA and the Clare Directors regarding Shawn Bevins are false and defamatory and caused damages to the Plaintiffs.

86. Further, the statements as published constituted further malicious efforts of the Clare Directors to interfere with and damage the economic interests of the Plaintiffs and each of them.

Oppression under the Act – Unlawful cancellation and Refusal to Renew Membership

87. The criteria for membership in the NFA is set by the Bylaws:

3. Membership in the association shall be limited to persons who agree to further the objects of the association and shall consist of anyone whose application for admission as a member has received the approval of the board of directors of the association. A voting member is an individual person who is both at least 18 years of age in the year of the election, and pays the membership fees prescribed by the board of directors for a voting member. The board of directors may establish other classes of membership and may prescribe dues, voting rights, benefits and restrictions for those classes.

88. Shawn Bevins' application for admission as a member was approved and Shawn Bevins had been a member of the NFA since January 2012. Shawn Bevins is over 18 and paid the dues required of a voting member.
89. At all materials times Shawn Bevins met every criteria required to be a member of the NFA.
90. Concurrently with the wrongful and unlawful dismissal, Shawn Bevins' membership in the NFA was unilaterally, wrongfully and unlawfully terminated by Clare or the Clare Directors.
91. After the wrongful dismissal Shawn Bevins attempted to renew his membership in the NFA in the normal course by paying the \$35 renewal fee on-line, thereby tendering payment for the renewal of his membership. No further steps would ordinarily be required to renew a membership in the NFA.
92. Despite meeting every criteria required to be a member of the NFA under the Bylaws, the NFA at the direction of Clare, or some or all of the Clare Directors, purported to reject Shawn Bevins' application to the NFA and refuse to renew his membership.

93. This purported rejection was unique to and targeted specifically at Shawn Bevins, was done for no valid reason and is attributable solely to the ongoing personal malice of Clare toward Shawn Bevins.
94. Further, the legal authority to terminate a membership in the NFA is reserved to the Board of Directors pursuant to ByLaw 7:
7. Any member may be required to resign by a vote of two-thirds (2/3) of the directors voting on the matter at a director's meeting. Any member required to resign may file a notice of appeal with the secretary requesting to be re-instated. Allowing an appeal for reinstatement shall be by a 2/3 vote of the membership to be held at the subsequent annual general meeting. The vote of the membership on the matter shall not be subject to further appeal.
95. No vote of the Board of Directors was ever held to require Shawn Bevins to resign his membership, and at all times Clare knew that 2/3 of the Directors would not vote for such a requirement.
96. Clare and the Clare Directors ignored the legal requirement in Bylaw 7 and caused the NFA to refuse Shawn Bevins' continued membership for their personal motives out of spite and malice, which actions were unlawful and of no force or effect.
97. The purported refusal to renew Shawn Bevins' membership by the NFA at the hands of the Clare Directors is oppressive, unfairly prejudicial and unfairly disregarded the interests of Shawn Bevins as a member of the NFA within the meaning of s. 253 of the Act.
98. Shawn Bevins is entitled to a declaration that his membership in the NFA was renewed and that at all times in 2015 Shawn Bevins has been a member in good standing of the NFA. The \$35 will be paid at any time the NFA is ordered to confirm the renewal of the membership.

Oppression: Removing Members and Field Officers and Excluding Members Generally

99. In furtherance of the Clare Directors' common intention and design to consolidate their despotic control of the NFA, the Clare Directors have:

- a. Used their status as “page administrators” to ban hundreds of members from accessing social media sites where the members meet virtually to discuss issues regarding the NFA, and in particular the Facebook website “<https://www.facebook.com/groups/nfagroup>”, for the improper reasons that:
 - i. they are members who question the authority or conduct of Clare or the Clare Directors; or
 - ii. they are married to members who question the authority or conduct of Clare or the Clare Directors;
 - b. Conducted and threatened to conduct a purge of the Field Officers, who are volunteer community NFA representatives, by wrongfully relieving them of their Field Officer positions in the NFA solely for their affiliation to or personal relationships with the Independent Directors or because they question the authority of oppose the conduct of the Clare Directors;
 - c. Refused to accept nomination packages for NFA Director positions from people who oppose the conduct of the Clare Directors; and
 - d. Such further and other oppressive conduct as may be discovered in the course of this litigation.
100. These actions, though not specifically targeted to the Plaintiffs, have had the direct effect of damaging the NFA through the wrongful and unjustified alienation of good people as members and preventing their participation in the activities of the NFA, and that exclusion damages the NFA and thereby all of its members including the Plaintiffs.
101. These actions are oppressive, unfairly prejudicial and unfairly disregard the interests of the Plaintiffs as members of the NFA within the meaning of s. 253 of the Act by, *inter alia*, excluding members who can make valuable contributions to the organization, interfering with the proper operations of the organization and suppressing free speech amongst the members.
102. These actions are in violation of the NFA's Bylaws and also comprise a breach of the Clare Directors' duties to act in the best interests of the NFA.

Oppression: Deception Regarding Reconstituting the Board of Directors of the NFA

103. On or about June 7, 2015, the exact date being unknown to the Plaintiffs, the Clare Directors purported to call a secret meeting of the Clare Directors (the "**Secret Meeting**") to unilaterally remove Claude Colgan, Ericka Clarke and Darlene Mackenzie from the Board of Directors of the NFA, or declare them removed or otherwise remove them, and then to unilaterally replace them with the Illegal Directors in order to allow the Clare Directors to unlawfully seize control over the NFA (the "**Clare Directors' Board Takeover Attempt**").
104. No notice, or no proper notice, was given to the Board of Directors of the Secret Meeting of the Clare Directors where they attempted the Clare Directors' Board Takeover Attempt, in that the Independent Directors were not notified of the purported meeting.
105. Notwithstanding the failure to give notice of the Secret Meeting, the vote to remove Claude Colgan, Ericka Clarke and Darlene Mackenzie from the Board of Directors failed.
106. The Clare Directors ignored the will of the Board and the requirements of the Bylaws, and after the Secret Meeting published repeatedly by e-mail and on Facebook to various of the members of the NFA that the Board of Directors had been effectively reconstituted, in favour of the control of the Clare Directors, with the removal of Claude Colgan, Ericka Clarke and Darlene Mackenzie and their replacement by the Illegal Directors.
107. The aforesaid publications were false and deceptive.
108. The By-laws provide that:

15. The property and business of the association shall be managed by a board of directors elected from the following electoral regions as described below:

<i>Electoral Area</i>	<i>Directors to Elect</i>
Alberta-Northwest Territories & Out-of-Canada	2
British Columbia-Yukon	2
Manitoba-Nunavut	1
Newfoundland-Labrador-Maritimes	1
Ontario	2
Quebec	2
Saskatchewan	1

- a. Each of the above would form one electoral area when electing its directors). Out-of-Canada members will vote as part of the Alberta membership. The combinations above shall apply until such time as those specific provinces and territories develop sufficient membership to form separate electoral areas.
 - b. Each electoral area containing at least 5 percent (5%) of the voting members of the association on September 1 of an election year is entitled to elect one, but only one director. Each electoral area containing at least 10 percent (10%) of the voting members of the association on September 1 of an election year is entitled to elect two, but only two directors. A voting member may vote only for candidate(s) in the electoral area in which he or she resides.
109. The members of the electoral regions entitled to elect their representative directors did not vote to remove Claude Colgan, Ericka Clarke or Darlene Mackenzie.
 110. The Plaintiffs specifically plead ss. 130 - 132 of the Act.
 111. The purported unilateral removal of Claude Colgan, Ericka Clarke and Darlene Mackenzie was unlawful and ineffective.
 112. Notwithstanding all of the foregoing, following the Clare Directors' Board Takeover Attempt the Clare Directors promulgated statements that Claude Colgan, Ericka Clarke and Darlene Mackenzie were no longer on the Board of Directors, which statements were untrue and made with the ulterior purpose and intention mislead and deceive the members of the NFA so as to further the Clare Directors' unlawful efforts to seize control of the NFA.
 113. The Illegal Directors have no lawful claim to be members of the Board of Directors of the NFA and to the extent they hold themselves out as being or attempt to act as such, the Plaintiffs are entitled to an injunction restraining all such actions and misrepresentations.
 114. The unlawful and wrongful actions of the Clare Directors and the Illegal Directors in attempting the Clare Directors' Board Takeover Attempt were oppressive, unfairly prejudicial and unfairly disregarded the interests of the Plaintiffs as members of the NFA within the meaning of s. 253 of the Act, and the Plaintiffs claim all available remedies for these unlawful and wrongful actions.

115. Without limiting the forgoing claim for all remedies, the Plaintiffs are entitled to declaratory relief declaring that:
- a. the purported removal of Claude Colgan, Ericka Clarke and Darlene Mackenzie from the Board of Directors of the NFA was unlawful and of no effect;
 - b. Claude Colgan, Ericka Clarke and Darlene Mackenzie continue to be Directors on the Board of Directors of the NFA;
 - c. All actions of the Illegal Directors and the Board of Directors acting with Claude Colgan, Ericka Clarke and Darlene Mackenzie excluded are of no force or effect; and
 - d. The Illegal Directors and the Clare Directors are personally liable for all damages costs and expenses incurred as a result of the Clare Directors' Board Takeover Attempt.
116. Notwithstanding the foregoing, if the Illegal Directors disclaim the appointments as Directors of the NFA and confirm that they have not at any time acted as Directors of the NFA, then no relief is sought against them in this action.

Oppression: AGM Denial of Entry (Spatha)

117. Spatha was a paid business member of the NFA on May 22 and 23, being the dates fixed for the Annual General Meeting of the NFA (the “AGM”) in Quebec City.
118. Spatha was entitled to and did attend Quebec City for the AGM through its representative, Shawn Bevins, however Shawn Bevins was wrongfully excluded from entering the AGM by the Clare Directors and security guards acting on the direction of the Clare Directors, thereby depriving Spatha of its rights pursuant to the NFA Bylaws to attend the AGM and exercise one vote on every issue before the meeting.
119. This act was oppressive, unfairly prejudicial and unfairly disregarded the interests of Spatha as a member within the meaning of s. 253 of the Act.

Oppression: AGM Denial of Entry (Bevins)

120. Shawn Bevins was also entitled to be treated as a member of the NFA on the date of the AGM for the reasons aforesaid, notwithstanding the discriminatory but ineffective purported cancellation and rejection of his NFA membership renewal.
121. This act was oppressive, unfairly prejudicial and unfairly disregarded the interests of Shawn Bevins as a member within the meaning of s. 253 of the Act.

Oppression: Failure to Create and Deliver Audited Financial Disclosure

122. Pursuant to s. 172 of the Act, Spatha and Shawn Bevins, as members of the NFA on May 22 and 23, were each entitled to receive audited financial disclosure and an audit report of a public accountant at the AGM as provided in s. 172:

172. (1) The directors of a corporation shall place before the members at every annual meeting

(a) prescribed comparative financial statements that conform to any prescribed requirements and relate separately to

(i) the period that began on the date the corporation came into existence and ended not more than six months before the annual meeting or, if the corporation has completed a financial year, the period that began immediately after the end of the last completed financial year and ended not more than six months before the annual meeting, and

(ii) the immediately preceding financial year;

(b) the report of the public accountant, if any; and

(c) any further information respecting the financial position of the corporation and the results of its operations required by the articles, the by-laws or any unanimous member agreement.

123. Spatha and Shawn Bevins did not receive the required specified audited financial disclosure as required under the Act, or at all, for the reason that the NFA, under the

control of the Clare Directors, failed to have audits of the NFA financial information performed.

124. This failure was one of the concerns of the Independent Directors that led to their exclusion from the operations of the NFA, after they challenged Clare on the failure to comply with this legal requirement.
125. The failure of the NFA, under the control of the Clare Directors, to have the NFA financial information audited goes back at least as far as 2010, and possibly further. Access to the financial records of the NFA had been denied to the Independent Directors but is the subject of the Directors' Litigation.
126. This failure is oppressive, unfairly prejudicial and unfairly disregarded the interests of the Plaintiffs (and all members of the NFA) within the meaning of s. 253 of the Act.

Clare is not a Member of the NFA and is not entitled to be a Director or President

127. Clare has unilaterally caused the Register of Members of the NFA to record himself as holding membership in the NFA in the category of "life member" beginning on December 5, 2010 and expiring in 2100.
128. There is no such category as "life member" in the NFA.
129. In the alternative, if there is such a category as "life member", Clare has not earned or been granted such a membership by the Board of Directors, which is the only body capable of creating categories of membership and granting them.
130. Clare has not otherwise paid membership fees as required to be a member of the NFA during his alleged membership period, or at all.
131. Accordingly, Clare is not and has not been since at least 2010 a member of the NFA.
132. Only members of the NFA can be Directors of the NFA.
133. Accordingly, Clare is not qualified to be a Director of the NFA, has not been qualified since to be a Director of the NFA at least 2010, and has not been a lawful director of the NFA since at least 2010.

134. Only a Director of the NFA can be the President of the NFA.
135. Since Clare has not been a Director of the NFA since at least 2010, Clare has not been qualified to be the President of the NFA since at least 2010, and has not lawfully been the President of the NFA since at least 2010.

Hagan is not a upset or Director of the NFA

136. Hagan has recorded himself or caused himself to be recorded in the Register of Members of the NFA as holding membership in the NFA in the category of "life member" beginning on June 1, 2009 and expiring in 2100.
137. There is no such category as "life member" in the NFA.
138. In the alternative to the foregoing, if there is such a category as "life member", Hagan has not been granted such a membership by the Board of Directors, which is the only body capable of creating categories of membership and granting them.
139. Hagan has not otherwise paid membership fees to be a member of the NFA during his alleged membership period or at all.
140. Accordingly, Hagan is not and has not been since at least 2009 a member of the NFA.
141. Only members of the NFA can be Directors of the NFA.
142. Accordingly, Hagan is not qualified to be a Director of the NFA, has not been qualified since to be a Director of the NFA at least 2009, and has not been a director of the NFA since at least 2009.

Rantz is not a Member or Director of the NFA

143. Rantz has recorded himself or caused himself to be recorded in the Register of Members of the NFA as holding membership in the NFA in the category of "life member" beginning on July 26, 2011 and expiring in 2100.
144. There is no such category as "life member" in the NFA.

145. In the alternative to the foregoing, if there is such a category as "life member", Rantz has not been granted such a membership by the Board of Directors, which is the only body capable of creating categories of membership and granting them.
146. Rantz has not otherwise paid membership fees to be a member of the NFA during his alleged membership period or at all.
147. Accordingly, Rantz is not and has not been since at least 2011 a member of the NFA.
148. Only members of the NFA can be Directors of the NFA.
149. Accordingly, Hagan is not qualified to be a Director of the NFA, has not been qualified since to be a Director of the NFA at least 2009, and has not been a director of the NFA since at least 2011.

The Clare Directors are not entitled to Indemnification from the NFA

150. Bylaw 28 provides that:

28. Every director or officer of the association or other person who has undertaken or is about to undertake any liability on behalf of the association or any company controlled by it and their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the association, from and against:

a) all costs, charges and expenses which such director, officer or other person sustains or incurs in or about any action, suit or proceedings which is brought, commenced or prosecuted against him or her. or in respect of any act, deed, matter of thing whatsoever, made, done or permitted by him or her, in or about the execution of the duties of his or her office or in respect of any such liability;

b) all other costs, charges and expenses which he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own wilful neglect or default.

the “**Indemnity Clause**”.

151. Neither Clare nor any of the Clare Directors were acting in a manner so as to entitle them to make a claim under the Indemnity Clause.
152. In particular, though without limit, in undertaking the unlawful and wrongful actions complained of herein the Clare Directors were not acting so as to “...undertake any liability on behalf of the association...” or “... in or about the execution of the duties of his or her office...” and accordingly are not entitled to have their legal expenses of this action paid by the NFA, or have any damages awarded against them paid by the NFA.
153. Further, the wrongful actions of the Clare Directors complained of herein constitute willful neglect and default within the meaning of Bylaw 28(b) so as to disentitle them from indemnification in any event.
154. Further, the unlawful and wrongful actions of the Clare Directors were undertaken for reasons of malice and personal gain in excess of their ostensible authority and therefore the Clare Directors are not entitled to presumptive indemnification of them from the NFA for their unlawful and wrongful acts, or for the costs of their defense.
155. Further, permitting the Clare Directors recourse to the funds of the NFA to indemnify them for their willful misconduct would be itself additional oppression under the Act and must be prohibited.

Damages: Wrongful Dismissal

156. As a result of the wrongful dismissal Shawn Bevins has suffered damages and is entitled to compensation as follows:
 - a. pay in lieu of notice of \$160,000.00;
 - b. compensation for loss of expected bonuses estimated at \$20,000;
 - c. compensation for loss of benefits estimated at \$20,000.00; and
 - d. such additional relief as is appropriate.

Damages: EI Claim

157. As a result of the false statements made to service Canada regarding Shawn Bevins' EI claim, Shawn Bevins suffered damages of \$23,580.00.
158. Shawn Bevins claims additional punitive damages for malice in the amount of \$20,000.00.

Damages: Truck Lease

159. During his term of office and employment, the Clare Directors and the NFA instructed Shawn Bevins to lease a vehicle for use in traveling for the NFA, which vehicle Shawn Bevins would not otherwise require or have use for.
160. In compliance with these directions Shawn Bevins entered into a lease for a truck and thereby incurred a financial obligation of \$46,000.00.
161. As a result of his wrongful dismissal, Shawn Bevins is forced to pay the payments for the truck which he no longer needs and has thereby suffered \$46,000.00 in damages at the hands of the Clare Directors and the NFA.

Damages: Loss of Future Income and Profit

162. As a result of the wrongful actions set out herein, the Plaintiffs and each of them have suffered loss of future income and profits arising from the damage inflicted upon them by the Clare Directors and the NFA through the actions of the Clare Directors, estimated in an amount of \$500,000.00.

Damages: Aggravated and Punitive Damages

163. As a result of the egregious, high-handed and malicious behavior of the Clare Directors and the NFA described herein, and in particular the campaign of public humiliation and targeted character and reputation disparagement to wide audiences including his family, Shawn Bevins claims aggravated and/or punitive damages from the Clare Directors and the NFA, jointly and severally in the sum of \$100,000 or such sum as the Court may feel is appropriate to compensate Shawn Bevins and to deter and denounce the Clare Directors conduct.

Damages: Solicitor-and-own Client Full-Indemnity Costs

164. As a result of the egregious, high-handed and malicious conduct of the Clare Directors in the NFA, Shawn Bevins claims full solicitor and own client, full-indemnity costs against the Clare Directors and the NFA.

Remedy sought:

Wherefore the Plaintiffs claim as follows:

In Respect of the Wrongful Dismissal

165. Damages to Shawn Bevins against the NFA, the Clare Directors, jointly and severally, for the following amounts:
- a. \$160,000 pay in lieu of notice;
 - b. \$20,000 for loss of expected bonuses;
 - c. \$20,000.00 for the loss of benefits; and
 - d. \$100,000 in aggravated or punitive damages for the malicious and intentionally humiliating means by which the Clare Defendants and the NFA terminated the office and employment of Shawn Bevins;

In Respect of the Loss of Future Income and Business Opportunities

166. Damages to the Plaintiffs, jointly and severally, against the NFA, the Clare Defendants or any one or more of them jointly and severally for the loss of future income and profits in the amount of \$500,000.00;

In respect of the Defamation and Injurious Falsehoods starting at Paragraph 55

167. An interim and permanent injunction against the Defendants restraining further publications of defamatory statements;
168. Damages in the amount of \$100,000.00 against Clare, the NFA and each of the Defendants who published or re-published the defamatory statements;
169. Punitive damages in the amount of \$50,000.00 for the demonstrated malice, ulterior motives and intentional wide public humiliation thereby inflicted;

In respect of the Defamation starting at Paragraph 60

170. An interim and permanent injunction against the Defendants restraining further publications of defamatory statements;
171. Damages in the amount of \$100,000.00 against Clare;
172. Punitive damages in the amount of \$50,000.00 against Clare;

In respect of the Illegal Directors

173. Declaratory relief declaring that:
 - a. the appointment of the Illegal Directors was unlawful and a nullity;
 - b. the purported removal of Claude Colgan, Ericka Clarke and Darlene Mackenzie from the Board of Directors of the NFA was unlawful and of no effect;
 - c. Claude Colgan, Ericka Clarke and Darlene Mackenzie continue to be Directors on the Board of Directors of the NFA;
 - d. All actions of the Illegal Directors and the Board of Directors acting with Claude Colgan, Ericka Clarke and Darlene Mackenzie excluded are of no force or effect; and
 - e. The Illegal Directors and the Clare Directors are personally liable for all damages costs and expenses incurred as a result of the Clare Directors' Board Takeover Attempt.
174. In the event that the Illegal Directors do not oppose the declaration sought in respect of their appointment, declaring that their appointment was unlawful and of no force or effect, no additional relief or costs will be sought against the Illegal Directors.

In respect of the Employment Insurance Loss

175. Damages to Shawn Bevins against the NFA in the amount of \$23,580.00;

176. An order requiring the NFA to correct the Record of Employment filed with Service Canada and to deliver to Shawn Bevins a proper Record of Employment reflecting that he was dismissed without cause;

In Respect of the Clare Directors' Malice and Character Assassination Campaign

177. Damages to the plaintiffs in the amount of \$500,000.00;
178. Orders for damages against the Clare Directors, individually, for punitive damages in the amount of \$50,000 each, or such greater amount as the Court may award;

In Respect of the Defamation Starting at Paragraph 75

179. An interim and permanent injunction against the Defendants restraining further publications of defamatory statements;
180. Damages in the amount of \$100,000.00 against Bracken and each of the Defendants who re-published the defamatory statements;
181. Punitive damages in the amount of \$50,000.00;

In Respect of the Defamation Starting at Paragraph 84

182. An interim and permanent injunction against the Defendants restraining further publications of defamatory statements;
183. Damages in the amount of \$100,000.00 against the NFA, Clare, Lundgard and each of the other Defendants who re-published the defamatory statements;
184. Punitive damages in the amount of \$50,000.00;

In Respect of the Oppression by Unlawful cancellation and Refusal to Renew Membership

185. A declaration in favor of Shawn Bevins, declaring that he is and has throughout 2015 been a full member of the NFA, on such terms as Court deems appropriate; and
186. An injunction restraining the NFA or the Clare Directors from further oppressive actions;

In Respect of the Oppression by Purging Members and Field Officers of the NFA

187. An interim and permanent injunction restraining the NFA and the Clare Directors from:
- a. banning or blocking members from the NFA Facebook site, unless for proper cause as decided by a 2/3 majority vote of the Board of Directors;
 - b. terminating the appointment of Field Officers, unless for proper cause as decided by a 2/3 majority vote of the Board of Directors;
 - c. manipulating the nomination process for Director elections and wrongfully excluding property-qualified potential candidates; and
 - d. such further and other injunctive relief, declarations and orders as may be required to remedy the oppression arising consequential to these wrongful actions by the Clare Directors;
188. A mandatory injunction reinstating all members and Field Officers who wish to return to the NFA;

In Respect of the Oppression by the Illegal Change of Directors

189. An interim and permanent injunction restraining the NFA and the Clare Directors from:
- a. removing or purporting to remove properly-elected Directors of the NFA other than in strict accordance with the Bylaws or the Act; and
 - b. such further and other injunctive relief, declarations and orders as may be required to remedy the oppression arising consequential to these wrongful actions by the Clare Directors;
190. A declaration that Claude Colgan, Ericka Clarke and Darlene Mackenzie remain as Directors of the NFA notwithstanding the attempted illegal removal by the Clare Directors on or about June 7, 2015;
191. A declaration that Dwayne Gorniak, Francis Tenta, and Charles Zach are not and never have been directors of the NFA;

192. A mandatory injunction requiring the NFA and the Clare Directors to publish a statement to the members and the public correcting their deceitful statements regarding the unlawful purported change of Directors of the NFA;
193. Such further and other injunctions, orders and relief as is necessary to ensure proper corporate governance of the NFA in accordance with the Bylaws and the Act;

In Respect of the Oppression by Denying Entry to the AGM

194. An interim and permanent injunction restraining the NFA and the Clare Directors from refusing entry to AGM's and all other proceedings where members are entitled to attend; and
195. An award of damages against the Clare Directors in an amount of \$10,000 jointly and severally in respect of the wrongful denial to Shawn Bevins, in his own right and on behalf of Spatha, to enter and attend the AGM and vote according to his rights;

In Respect of the Oppression by Failing to Deliver Audited Financial Disclosure As Required under the Act

196. A mandatory injunction requiring the NFA and each of the Directors of the NFA jointly and severally to take all steps necessary to:
 - a. prepare audited financial statements for the last six years, or as may be required under the Act;
 - b. deliver copies of the audited financial statements and Accountants' Report to the members for the aforementioned period;
 - c. bring the NFA into compliance in all other respects with the obligations under all statutes of Canada for the operation of a Not-For-Profit Corporation;

In Respect of the NFA Status of Clare

197. An order declaring that Clare is not a member of the NFA, is not a Director of the NFA, is not the President of the NFA, and has not been since 2010;
198. Such further and other orders as may be just consequential upon the foregoing declaration;

In Respect of the NFA Status of Hagan

199. An order declaring that Hagan is not a member of the NFA, is not a Director of the NFA, and has not been since 2009;
200. Such further and other orders as may be just consequential upon the foregoing declaration;

In Respect of the NFA Status of Rantz

201. An order declaring that Hagan is not a member of the NFA, is not a Director of the NFA, and has not been since 2011;
202. Such further and other orders as may be just consequential upon the foregoing declaration;

In Respect of the Indemnity Provisions under the Bylaws

203. A declaration that the Clare Directors are not entitled to be indemnified in respect of any of the actions complained of herein from the funds of the NFA;
204. Such further and other orders as may be just consequential upon the foregoing declaration;
205. An injunction enjoining the Clare Directors and each of them from utilizing any of the NFA funds or resources for their defense in this action;

In Respect of all acts of Oppression Generally

206. An order removing the Clare Directors as directors of the NFA;
207. An order removing the Clare Directors from all offices held in the NFA;
208. An order or orders calling for such elections, meetings and corporate governance proceedings as are required in order to ensure the proper operation of the NFA;
209. An order appointing a Receiver of the NFA and its assets, if required;
210. All order or orders available under the Act which are required, appropriate and just in the circumstances to remedy the oppressive conduct complained of herein, or as may be

further found in the course of this action, and to ensure the proper operation of the NFA and its corporate governance;

Universal Claims

211. In respect of all of the foregoing claims the Plaintiffs claim in addition each of the following:
- a. Interest pursuant to the *Judgment Interest Act*, R.S.A. 1980, c.J-0.5, and regulations thereto, on all monetary awards;
 - b. such interlocutory and permanent injunctions and orders as may be necessary and just in the circumstances to grant to restrain the defendants and mitigate the damages arising from their wrongful actions;
 - c. costs on a solicitor and own client full indemnity basis; and
 - d. such further and other relief as this Honorable Court deems appropriate.

NOTICE TO THE DEFENDANTS

You only have a short time to do something to defend yourself against this claim:

20 days if you are served in Alberta

1 month if you are served outside Alberta but in Canada

2 months if you are served outside Canada.

You can respond by filing a statement of defence or a demand for notice in the office of the clerk of the Court of Queen's Bench at Calgary, Alberta, AND serving your statement of defence or a demand for notice to counterclaim on the plaintiffs' address for service.

WARNING

If you do not file and serve a statement of defence or a demand for notice within your time period, you risk losing the law suit automatically. If you do not file, or do not serve, or are late in doing either of these things, a court may give a judgment to the plaintiffs against you.