



Court File No. KEL-S-S-142409
Kelowna Registry

In the Supreme Court of British Columbia

Between

TYSON COOK

Plaintiff

and

ACTION4CANADA INC., GRAEME FLANNIGAN, TAMMY ANN MITCHELL,
TORI OLASON, and PERSON A

Defendants

RESPONSE TO CIVIL CLAIM

Filed by: Action4Canada Inc. (the “Defendant”)

Part 1: RESPONSE TO NOTICE OF CIVIL CLAIM FACTS

Division 1 – Defendant’s Response to Facts

1. The facts alleged in paragraphs 3-6 of Part 1 of the notice of civil claim are admitted.
2. The facts alleged in paragraphs 1, 18-21 of Part 1 of the notice of civil claim are denied.
3. The facts alleged in paragraphs 2, 7-17, 22-46 of Part 1 of the notice of civil claim are outside the knowledge of the defendant.

Division 2 – Defendant’s Version of Facts

1. For obvious reasons, the Defendant admits no unparticularized allegation referring to any other defendant or to any collective of defendants which includes defendants other than itself.
2. The Defendant admits publishing the content quoted in paragraphs 18, 19, 20 and 21 but denies that the statements are unfounded, coordinated, malicious, defamatory and/or false.

Part 2: RESPONSE TO RELIEF SOUGHT

1. The Defendant consents to the granting of the relief sought in paragraphs NIL of Part 2 of the notice of civil claim.
2. The Defendant opposes the granting of the relief sought in paragraphs ALL of Part 2 of the notice of civil claim.
3. The Defendant takes no position on the granting of the relief sought in paragraphs NIL of Part 2 of the notice of civil claim.

Part 3: LEGAL BASIS

1. The Defendant denies that its publication meets the test for defamation.
2. In the alternative, the Defendant pleads the defence of fair comment.

Defendant's address for service: 230-1210 Summit Drive
Suite 429
Kamloops, BC V2C 6M1

Email address for service: james@kwllp.ca
jody@kwllp.ca

February 6, 2025 KITCHEN WELLS LLP

per



James SM Kitchen
Counsel for Action4Canada Inc.