

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

TYSON COOK

PLAINTIFF(S)

AND:

ACTION4CANADA INC., GRAEME FLANNIGAN, TAMMY

MITCHELL, TORI OLASON, and PERSON A

DEFENDANT(S)

RESPONSE TO CIVIL CLAIM

Filed by: GRAEME FLANNIGAN (the "defendant(s)")

Part I:RESPONSE To NOTICE OF CIVIL CLAIM FACTS

Division 1 — Defendant's(s') Response to Facts

1. The facts alleged in paragraphs NONE of Part 1 of the notice of civil claim are admitted.
2. The facts alleged in paragraphs ALL of Part 1 of the notice of civil claim are denied.
3. The facts alleged in paragraphs NONE of Part 1 of the notice of civil claim are outside the knowledge of the defendant(s).

Division 2 — Defendant's(s') Version of Facts

1. The statements made by the Defendant regarding the Plaintiff are true. Evidence proves the statements made by the Defendant regarding the Plaintiff are true. True statements are not defamation.
2. The accurate and true reposting of the Plaintiffs content and the accurate and true description of the Plaintiffs content is not defamation.
3. The Plaintiff and the Plaintiffs lawyer are both activists with a political axe to grind who are abusing the process of the legal system by filing a frivolous lawsuit falsely claiming true information is defamation because they are trying to stifle and censor accurate and true information that is in the public interest.

4. Opinions based upon provably true information that is of public interest and any reasonable person would hold are fair comment.
5. The demand letter was complied with but the Plaintiff is attempting to sue for longdeleted social media posts that both he and his lawyer knew or ought to have known were deleted over nine months ago.
6. The Plaintiff and the Plaintiffs lawyer have falsified email evidence by taking comments out of context to alter the meaning and make an accusation look like it was directed at the Plaintiff when it was directed at an organizer whose daughter had a double mastectomy at age 15. Evidence of this sex change surgery on a minor was attached to the email. The Plaintiffs lawyer Sarah McCalla is an activist who has publicly promoted and encouraged sex change surgeries on minors.
7. Outside of Action4Canada director Tanya Gaw (whom I have met once), I have no idea who the other Defendants are. I do not know the other Defendants and I have had no communication with them. It is an unfair abuse of process to group all of the Defendants in one lawsuit. Each Defendant should be a separate lawsuit because they do not know each other and have had no communication.
8. The Plaintiff has advertised 19+ sexual drag queen shows for all ages children audiences.
9. The Plaintiff has posted a music video where he simulates kidnapping, torture, murder, and cannibalism. The Plaintiff also makes an apparent reference to serial killer Robert Pickton when he simulates feeding human remains to a pig. This YouTube posted music video had no age restrictions until the Defendant posted a clip of it. The Plaintiffs children section of his website links to his YouTube page which features this music video.
10. Defendant Flannigan posted true and accurate screenshots of the Plaintiffs inappropriate sexually explicit public social media posts.
11. The children's section of the Plaintiffs website links to his social media pages which contain sexually explicit and violent content.
12. The Plaintiff advertising 19+ sexual drag queen shows for all ages children audiences in Okanagan restaurants and bars is of public interest.
13. The Plaintiff, who has advertised 19+ sexual drag queen shows for all ages children audiences and posted a music video where he simulates kidnapping, torture, murder, and cannibalism — doing children's events on taxpayer-owned and funded property is of public interest.
14. The Plaintiff, who has advertised 19+ sexual drag queen shows for all ages children audiences and posted a music video where he simulates kidnapping, torture, murder, and cannibalism — doing children's events on taxpayer-owned and funded property, when the involvement also includes a city councillor, is of public interest.
15. The Plaintiff has posted with the implication that he was banned from Status nightclub in Vernon for inappropriately planning to do a 19+ sexually explicit drag queen show on the same day he was performing drag Queen storytime at the library for very young children — performing hours apart. The Plaintiff does not appear to have rebooked a performance at Time Wines in Penticton after the Defendant posted accurate and true screenshot evidence of Plaintiff advertising 19+ sexual drag queen shows for all ages children audience.
16. In response to Paragraph 17. False. Social media posts were deleted after the April 25, 2024 Demand Letter. Openly activist lawyer Sarah McCalla is attempting to sue for already deleted social media posts. Activist lawyer McCalla seems to have a political axe to grind and that this is a frivolous politically motivated lawsuit when she discusses "the social

- impact of the drag (queen) community". This frivolous lawsuit is an abuse of the legal system and the Plaintiff is attempting to censor the reposting of his inappropriate content.
17. In response to Paragraph 22. False. The post has been edited and updated since May 2024 to use more specifically accurate language. The post was included in the April 25, 2024 demand letter. The plaintiff and the plaintiffs lawyer knew or ought to have known that this post had been updated and yet intentionally included the pre-May 2024 version instead of the May 2024 — current version to deceive, manipulate, and falsify evidence.
 18. In response to paragraph 25. False. The quoted headline is from a Rebel News article. If the information in the social media post was quoted directly from the Rebel News article why is the Plaintiff not suing Rebel News for defamation? Based upon the sexual and violent content that the Plaintiff has publicly posted on social media he has proven that he is not an appropriate role model for young children.
 19. In response to paragraph 37. False.
 20. A. False. I have never stated or inferred that the defendant is a pedophile.
 21. B. The plaintiff has posted evidence advertising 19+ adult sexual drag queen shows for all ages children audiences.
 22. c False. The plaintiff and the plaintiffs lawyer have falsified email evidence to make it appear that a reference to a double mastectomy on a 15-year-old girl was directed at the plaintiff. (The plaintiff and the plaintiffs lawyer are both public activists and are falsifying evidence and abusing the legal process to further their political agenda.)
 23. D. The plaintiff the plaintiff has posted pictures and videos of sexually explicit behavior.
 24. E. The plaintiff has posted evidence that he advertised 19+ adult sexual drag queen shows for an all-ages children audience.
 - . F.False. I have never stated or inferred that the defendant is connected to child pornography and sexual abuse.
 26. G. The plaintiff has posted evidence that he advertises 19+ adult sexual drag queen shows for all ages children audiences.
 27. H. False. The self-harm reference. The plaintiff and the plaintiffs lawyer have falsified email evidence to make it appear that a reference to a double mastectomy on a 15-year-old girl was directed at the plaintiff. (The plaintiff and the plaintiffs lawyer are both public activists and are falsifying evidence and abusing the legal process to further their political agenda.) The children's section of the plaintiffs website links to his social media pages sites which contain sexually explicit and violent content posted true and accurate video footage of the plaintiffs music video where he simulates kidnapping, torture, murder, and cannibalism and an apparent reference to serial killer Robert Pickton when the plaintiff simulates feeding human remains to a pig. This YouTube music video had no age restrictions until the defendant posted a clip of it. The plaintiffs children section of his website links to his YouTube page which features music videos.
 28. 1 The plaintiff has posted evidence advertising 19+ adult sexual drag queen shows for an all-ages children audience. The plaintiff has repeatedly posted evidence proving he is an inappropriate role model for children
 29. The lawsuit should be dismissed because true and accurate information is falsely labeled defamation. Complied with the demand letter and are suing me anyway. Suing for false

information. The Plaintiff and Plaintiffs lawyer has falsified email evidence to deceive and mislead. The plaintiff is falsely trying to censor true and accurate information. Plaintiff and plaintiffs lawyers are both political activists with an axe to grind and are misusing the legal system to further their agenda filing frivolous lawsuits with false information.

30. Costs payable to the Defendant and for special costs.

Division 3 — Additional Facts

1. The Plaintiff has stated that the Defendant's posts have helped the Plaintiff book more shows and sell out more shows.
2. The Plaintiff has used the Defendant's posts for advertising his shows and has used the Defendant's posts as content for his shows.
3. The Plaintiff has sold buttons related to the Defendant's posts.
4. The Plaintiff has suffered no damage in fact has profited from what has happened.
5. The Plaintiff has suffered no damages by the accurate and true reposting of the Plaintiffs content and the accurate and true description of the Plaintiffs content.
- 6.
- 7.

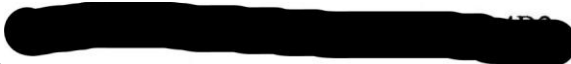
Part 2:RESPONSE TO RELIEF SOUGHT

1. The defendant(s) consent(s) to the granting of the relief sought in paragraphs NONE of Part 2 of the notice of civil claim.
2. The defendant(s) oppose(s) the granting of the relief sought in paragraphs ALL of Part 2 of the notice of civil claim.
3. The defendant(s) take(s) no position on the granting of the relief sought in paragraphs NONE of Part 2 of the notice of civil claim.

Part 3:LEGAL BASIS

1. Statements made by the Defendant regarding the Plaintiff are true and evidence proves the statements are true.
2. Statements made by the Defendant regarding the Plaintiff are fair comment because they are based upon provably true information, any reasonable person would hold the same views and are of public interest.
- 3.

Defendant's(s') address for service:

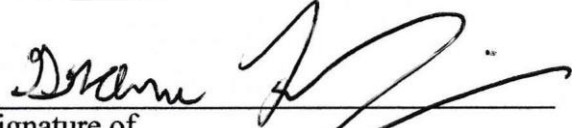


Fax number address for service (if any):

E-mail address for service (if any):



Date: February 6, 2025



Signature of
 Defendant lawyer for defendant(s)

GRAEME FLANNIGAN

Rule 7-1 (1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
 - (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and (b) serve the list on all parties of record.