

2001

S.K. No. 10,711

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:

**THE CANADIAN FEDERATION OF STUDENTS and
CANADIAN FEDERATION OF STUDENTS - SERVICES**

PLAINTIFFS

- and -

ACADIA STUDENTS' UNION

DEFENDANT

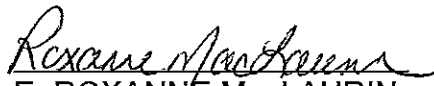
DEFENCE TO COUNTER CLAIM

TO: the Prothonotary and Defendant/Plaintiff by Counter-Claim:

TAKE NOTICE that the Defence to Counter-Claim attached hereto is filed by the Plaintiffs/Defendants by Counter Claim, which are defended by E. Roxanne MacLaurin, solicitor for the said Plaintiffs/Defendants by Counter Claim;

AND FURTHER TAKE NOTICE that the address of the solicitor for the Plaintiffs/Defendants by Counter-Claim is P.O. Box 475 Berwick, Nova Scotia B0P 1E0, at which address service of the documents in this proceeding may be made as effectively as if served upon the said Plaintiffs/Defendants by Counter-Claim personally.

FILED at Kentville, Nova Scotia, this *22* day of October, 2002.


E. ROXANNE MacLAURIN
Waterbury Newton
P.O. Box 475
Berwick, Nova Scotia
B0P 1E0

TO: The Defendant/Plaintiff by Counter-Claim
c/o MICHAEL V. COYLE
Muttart Tufts DeWolfe & Coyle
P.O. Box 515
Kentville, Nova Scotia
B4N 3X3

RECEIVED & FILED


OCT 28 2002

**Court Administration Office
Kentville Justice Centre**

DEFENCE TO COUNTER-CLAIM

1. As to the whole of the Statement of Defence and Counter-Claim, the Plaintiffs/Defendants by Counter-Claim, deny each and every allegation contained in the Defence and Counter-Claim as if the same were set out and specifically denied and traversed seriatim and the Plaintiffs/Defendants by Counter-Claim put the Defendant/Plaintiff by Counter-Claim to the strict proof thereof.
2. The Plaintiffs/Defendants by Counter-Claim repeat, plead, and rely upon the Statement of Claim on file herein.
3. The Plaintiffs/Defendants by Counter-Claim deny that they have intimidated and/or harassed the Defendant/Plaintiff by Counter-Claim and further deny that the Defendant/Plaintiff by Counter-Claim is entitled to damages or a remedy pursuant to Section 24(1) of the *Canadian Charter of Rights and Freedoms*. The Plaintiffs/Defendants by Counter-Claim state that the *Canadian Charter of Rights and Freedoms* guarantees the protection of civil liberties from the actions of Parliament, Legislatures, government agencies and officials. The Plaintiffs/Defendants by Counter-Claim further state that the *Canadian Charter of Rights and Freedoms* and in particular section 24(1) has no application in relation to the private Contractual rights of the parties to the within proceedings.
4. The Plaintiffs/Defendants by Counter-Claim further deny that the Defendant/Plaintiff by Counter-Claim is entitled to any of the relief claimed in paragraphs 13(a), (b), (c), (d), (e), (f), or (g) of the Counter-Claim on the grounds that there is no basis in either fact or law for the relief sought or the allegations raised in the aforesaid paragraphs.
5. The Plaintiffs/Defendants by Counter-Claim request this Honourable Court to dismiss the Counter-Claim with costs.

DATED at Berwick, Nova Scotia this 22 day of October, 2002.


E. ROXANNE MacLAURIN
Waterbury Newton
P.O. Box 475
Berwick, Nova Scotia
B0P 1E0

TO: The Defendant/Plaintiff by Counter-Claim
c/o MICHAEL V. COYLE
Muttart Tufts DeWolfe & Coyle
P.O. Box 515
Kentville, Nova Scotia
B4N 3X3

AND TO: The Prothonotary