

No. C974704 Vancouver Registry

GIVE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

AND:

CANADIAN FEDERATION OF STUDENTS, CANADIAN FEDERATION OF STUDENTS BRITISH COLUMBIA COMPONENT and CANADIAN FEDERATION OF STUDENTS-SERVICES

PLAINTIFFS

KWANTLEN UNIVERSITY COLLEGE STUDENT ASSOCIATION

DEFENDANT

9060

25.00

REPLY AND DEFENCE TO COUNTERCLAIM

- The Plaintiffs deny each and every allegation in the Statement of Defence and Counterclaim except as hereinafter expressly admitted or as admitted in the Statement of Claim.
- 2. The Plaintiffs plead and rely on the allegations in the Statement of Claim.
- 3. In reply to Paragraph 5 of the Statement of Defence, the Plaintiffs specifically deny receiving any notice of a student referendum whatsoever from the Defendant on or about January 29, 1991.
- 4. In reply to Paragraph 9 of the Statement of Defence, because the Defendant receives fees on behalf of the Plaintiffs from Kwantlen University College, the Plaintiffs cannot directly assess the amount of its fees received by the Defendant. For this reason, the Plaintiffs have not and cannot provide particulars of the

specific amount of membership fees owing in a particular fiscal year. The Plaintiffs have provided the Defendant with a formula from which it can calculate its obligations in all fiscal years.

5. Accordingly, the Defendant is not entitled to an accounting but rather it is the Defendant which must provide an accounting to the Plaintiffs of fees collected on behalf of the Plaintiffs from student members of the Defendant as membership fees in the Plaintiff organizations.

WHEREFORE THE PLAINTIFFS ask that the Counterclaim be dismissed with costs.

DATED this 1st day of December, 1997.

olicitor for the Plaintiffs

THIS REPLY AND DEFENCE TO COUNTERCLAIM is filed by J. Geoffrey Howard, of the firm Gowling, Strathy & Henderson, Barristers and Solicitors, of 2414 - 1055 Dunsmuir Street, P.O. Box 49122, Vancouver, B.C. V8X 1J1 683-6498 Fax: 683-0558

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