

CANADA
PROVINCE OF SASKATCHEWAN

IN THE COURT OF QUEEN'S BENCH
(FAMILY LAW DIVISION)
JUDICIAL CENTRE OF SASKATOON

BETWEEN:

[REDACTED]

PETITIONER

AND:

[REDACTED]

RESPONDENT

AND:

[REDACTED] and [REDACTED]

THIRD PARTY RESPONDENTS

AFFIDAVIT OF [REDACTED]

I, [REDACTED] of the City of Saskatoon, in the Province of Saskatchewan, make oath and say as follows:

1. I make this affidavit in order to reply to the September 28th, 2006, affidavit of Respondent [REDACTED] and in reply to the motions dated September 27th, & 28th, 2006, filed on her behalf.
2. In response to paragraph 5, I deny that the incident described by the Respondent ever occurred.
3. Regarding paragraph 6 of the Respondent's affidavit, while I had mixed feelings procuring drugs of any kind for the Respondent (I do not use drugs myself), I would on occasion provide small amounts of marijuana for the Respondent on her request. I believed this substance was a better alternative to the crystal meth I

believed the Respondent using, as deposed in paragraph 11 of my affidavit of May 9, 2006.

4. Regarding paragraphs 10 and 11 alleging and / or insinuating criminal activity of a predatory and sexual nature, I deny any involvement in the incident whatsoever, and specifically deny the Respondent's allegation that I knew the complainant, set out in paragraph 12 of her affidavit. I have never met the complainant. To the best of my knowledge, I was a victim of mistaken identity as a result of my vehicle (a Ford Windstar van) resembling the vehicle of another. As a result of the crown's decision to stay the charge I was deprived of the opportunity to take the stand in my own defence in order to offer my alibi under oath, which I believe would have resulted in an acquittal. In short, I acknowledge being charged with a criminal offence, but had no involvement with the matter in question. I resent any insinuation to the contrary.
5. I also make this affidavit in reply to the affidavits of Third Party Respondent [REDACTED], dated September 28th, 2006 (40 paragraphs), September 28th, 2006, (#2, 42 paragraphs), and September 28th, 2006 (5 paragraphs), along with the other affidavit material filed on her behalf in support of the third-party motions to strike, for interim sole custody, *etc.*
6. Regarding my marital status and particularly paragraphs 2-4 of the Third-Party Respondent [REDACTED] affidavit of September 28th, 2006 (5 paragraphs), I had no intention to mislead the Court or any party, as these particulars were incorrectly reported in my materials due to a miscommunication between my solicitors and I as I believed the questions related to my relationship with [REDACTED]
7. In response to paragraph 33 of the Third-Party Respondent, [REDACTED] [REDACTED]'s affidavit dated September 28th, 2006 (40 paragraphs) which characterizes me as merely "the provider of sperm," that produced my son, I say to the contrary
[REDACTED]

that although I have yet to hold my son, I feel a love and affection for him that I can only describe as profound.


8. With regard to the references the Third-Party Respondent makes to the criminal charge addressed earlier herein, I reiterate my earlier evidence set forth herein regarding my innocence of the charge.
 9. In reply to paragraph 34 of the September 28th, 2006, affidavit of [REDACTED] (40 paragraphs), I have spoken with the media concerning this case but have only made true statements to the best of my knowledge. For instance, I believe that my information that the Respondent, [REDACTED] was assisted with the placement of my son by her sister, who happens to be (or was at the material time) the director of Child and Family Services for the Montreal Lake Band, has been confirmed.
 10. I am disappointed and dismayed by the affidavits of the Third-Party Respondent, [REDACTED]. I can respect their obvious affection for my son but regret the insinuations against me, particularly the allegation that I am somehow a danger to my son (see paragraph 39 of the September 28th, 2006 affidavit of [REDACTED], 40 paragraphs).
 11. I am determined to provide the very best home I possibly can for my son, and continue to enjoy the full support of my partner, [REDACTED]. We, too, have an excellent relationship marked by trust, affection and open communication. I am confident we can provide my son with a happy, healthy home.
 12. I do not believe that my worth as a parent or the sincerity of my affection for my son can be measured by my level of education or income. For the further assistance of the Court in determining the issues of custody and access, attached
- [REDACTED]

hereto and marked as Exhibit "A" is a copy of a report dated October 2, 2006, independently prepared by Mr. Dennis Beuckert, MSW, RSW.

13. I also make this affidavit in support of my amended fresh as Notice of Motion dated October 2, 2006.

Sworn before me at
the City of Saskatoon
in the Province of Saskatchewan,
this 2nd day of October, 2006

Mark Vanstone
A Commissioner for Oaths in
and for Saskatchewan
Being a Solicitor


Petitioner

This document was delivered by:

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