

SUPERIOR COURT OF JUSTICE

Court File No. 00-CV- 015075

BETWEEN:

BERNARD CAMERON, EUGÉNE PHILLIP LaROCQUE, REJÉAN LEBRUN,
RANALD RODERICK MacDONALD, KEVIN JOSEPH MALONEY,
DONALD BERNARD McDOUGALD, and GARY OSTLER

Plaintiffs

- and -

JAMES BATEMAN, NBC INTERNET INC., PAUL LIKODIS,
ALPHONSE J. MATT JR., WANDERER PRINTING COMPANY,
DICK NADEAU, ALTA VISTA COMPANY and TERA-BYTE DOT COM INC.

Defendants

CASE CONFERENCE FORM

Requested by: The Plaintiffs.

Date Scheduled: In writing.

1. Brief Statement of Facts and Law

See Schedule "A" attached.

2. Purpose of the Case Conference

- (a) The purpose of the case conference is to request a further extension of the time within which to mediate to October 31, 2001.

3. Disposition of Case Management Judge/Master

Order to go as asked

DATED at OTTAWA, this 29th day of May, 2001.



Case Management Master Beaudoin

SCHEDULE 'A'

1. This is an action commenced by the Plaintiffs for damages arising out of the publication of defamatory allegations involving a number of personal and corporate Defendants. The allegations were published in newsprint and on the Internet via the website, "www.projecttruth2.com". A number of the Defendants were served with the Statement of Claim outside Ontario pursuant to Rule 17.02 of the *Rules of Civil Procedure*.
2. This is a complicated defamation action involving a number of parties, some of whom are located outside the jurisdiction, the operation of two Internet websites and an article printed in *The Wanderer* newspaper.
3. The Defendant, Dick Nadeau, served a Statement of Defence on or about October 4, 2000.
4. The Defendant, James Bateman, served a Notice of Intent to Defend on or about October 10, 2000, and subsequently served a Statement of Defence on or about November 27, 2000.
5. The Defendants, Paul Likoudis, Alphone J. Matte Jr. and Wanderer Printing Company, served a Notice of Intent to Defend on or about October 18, 2000 and subsequently served a Statement of Defence on or about January 2, 2001.
6. The Defendant, Tera-Byte Dot Com Inc., served a Notice of Intent to Defend on or about December 8, 2000.
7. The Defendant, NBC Internet Inc., served a Notice of Intent to Defend and Notice of Defence on or about December 11, 2000.
8. The only Defendant who has yet to file either a Notice of Intent to Defend or Statement of Defence is Alta Vista Company. Counsel for the Plaintiffs have been in contact with U.S. counsel for Alta Vista Company, Mintz, Levin.
9. On or about November 16, 2000, counsel for the Plaintiffs was served with a Notice of Assignment of Roster Mediator appointing Mr. Alan Sobel as mediator in this matter.
10. By Case Conference Form dated December 4, 2000, counsel for the Plaintiffs requested a 60 day extension pursuant to Rule 24.1 of the *Rules of Civil Procedure* for the conduct of the mediation in this matter so that pleadings could be closed and the parties canvassed with respect to their availability. That request was granted to March of 2001. No mediation has taken place to date.

11. The Plaintiffs requested an extension by three months of the 180 day period from the issuance of the Statement of Claim in order to permit the remaining Defendant, Alta Vista Company, to file a defence. That Master had ordered on March 19, 2001 that "so long as one def has "defended" the claim there is no need for a further ext pursuant to Rule 77.08. A copy of the Master's disposition is attached.
12. In April 2001, the website was discontinued, but its author and operator continues to refuse to apologize to the Plaintiffs.
13. It is unlikely that mediation will be of any value given the nature of the proceedings and the allegations in it.
14. The Plaintiff requires a further extension of the time within which to mediate and within which Statements of Defence are to be served. The Plaintiff is requesting such an extension to October 31, 2001. The extension is necessary to attempt resolution with some of the parties to the proceeding outside of this jurisdiction.

Event Type	Motion - Extension of Time [MET]
Event Date	13-MAR-2001
Event Time	10:00 am
Event Room	Judges' Boardroom (5th floor) [JB5]
Information	Not Applicable [NA]
Official	Master Beaudoin [CMM]
Est. Duration	0.25
Est. Duration Type	Hours [HRS]
Opposition Manner	Unopposed [UNO]
Opposition Method	In Writing [IW]
Est. Duration	0.25
Est. Duration Type	Hours [HRS]
Result Date	19-MAR-2001
Result	Completed (see memo) [COM]
Reason for Adj	
Extension Date	
Fees Paid	Not Applicable [NA]
Final Entry Date	13-MAR-2001
Final Entry Time	3:21 pm
Fee	247.00
Comments	so long as one def has "defended" the claim there is no need for a further ext pursuant to Rule 77.08

10:24 FAX 613 230 8842

BORDEN LADNER GERVAIS