



[REDACTED]

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Electronically issued : 27-Oct-2020  
Délivré par voie électronique  
Peterborough

**ADAM BULLOCK**

Plaintiff

- and -

[REDACTED]

Defendant

**STATEMENT OF CLAIM**

TO THE DEFENDANT:

**A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU** by the plaintiff. The claim made against you is set out in the following pages.

**IF YOU WISH TO DEFEND THIS PROCEEDING**, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the *Rules of Civil Procedure*, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service, in this court office, **WITHIN TWENTY DAYS** after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your Statement of Defence.

**IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.** If you wish to defend this proceeding but are unable to pay legal fees, legal aid may be available to you by contacting a local Legal Aid office.

**IF YOU PAY THE PLAINTIFF'S CLAIM**, and \$2,500.00 for costs, within the time for serving and filing your Statement of Defence you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and \$400 for costs and have the costs assessed by the court.

Date: October 27, 2020

[REDACTED] \_\_\_\_\_  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**CLAIM**

1. The Plaintiff, Adam Bullock, claims against the Defendant for:
  - (a) general damages for malicious prosecution and defamation in the amount of \$250,000.00;
  - (b) special damages for lost wages and legal fees in the amount of \$100,000.00;
  - (c) aggravated and/or punitive damages in the amount of \$1,000,000.00;
  - (d) pre-judgment and post-judgment interest pursuant to the provisions of the *Courts of Justice Act*, R.S.O. 1990, c.C43, as amended;
  - (e) costs of this action on a substantial indemnity basis with any applicable Harmonized Sales Tax, which may be payable thereon; and
  - (f) such further and other relief as this Honourable Court may deem just.

**THE PARTIES**

2. The Plaintiff, Adam Bullock (“Adam”), is an individual residing in the City of Kawartha Lakes, in the Province of Ontario.
3. The Defendant, [REDACTED]

**BACKGROUND**

4. On or about September 3, 2017, Adam met [REDACTED] Lady Eaton College in the City of Peterborough (the “College”). At that time, [REDACTED] Trent University and Adam was a volunteer for the Trent University Emergency First Response Team (the “Team”) for orientation week at the College.
5. During that day, [REDACTED] and Adam engaged in friendly conversation, ate lunch together and [REDACTED] invited Adam to her dorm room at the College [REDACTED] then added Adam to Snapchat messenger and sent her phone number to Adam.

6. Adam enquired about [REDACTED] intentions, indicating that he was not interested in a serious relationship. [REDACTED] responded that she too was interested in a casual relationship and that she did not want anyone to know as she was “sort of seeing someone.”

7. [REDACTED] insisted that they continue to message only on Snapchat messenger and asked if Adam would be available during that week. Adam responded that he could probably find time to meet with her once he was off call from the Team.

8. On September 4, 2017 [REDACTED] invited Adam to her dorm room. Adam attended [REDACTED] dorm room, knocked on the door (which was slightly ajar) and waited for [REDACTED] to let him into the room. [REDACTED] opened the door, invited Adam in and shut the door behind them. [REDACTED] sat on the bed with Adam and they talked for a brief period of time.

9. Adam and [REDACTED] then began kissing and took off their clothes to their underwear. Adam asked [REDACTED] if she had a condom and she said she did not. Adam informed [REDACTED] that he would not have sex without a condom and Adam asked if [REDACTED] would engage in oral sex. [REDACTED] then performed consensual oral sex on Adam.

10. Throughout September, [REDACTED] and Adam continued to message each other on Snapchat. [REDACTED], [REDACTED] and Adam agreed to meet on or about September 28, 2017 in her dorm room. On or about September 28, 2017, Adam met [REDACTED] in her dorm room where they engaged in consensual sexual intercourse with a condom. Adam and [REDACTED] then spent much of the night discussing their lives and [REDACTED] disclosed that she was in a serious relationship.

11. After this sexual encounter [REDACTED] continued to engage in flirtatious conversation with Adam. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

13. After this event, [REDACTED] continued to message Adam. Adam discovered that her girlfriend was actually her fiancé and Adam decided to stop messaging [REDACTED] back. Adam saw

██████████ on one other occasion during a distress call where ██████████ was with a patient. They engaged in brief pleasantries and then the Team administered care.

14. Adam has not had any contact with ██████████ since this last brief encounter.

#### THE CRIMINAL COMPLAINT AND THE WITHDRAWAL

15. In or about December 2017, ██████████ attended the Peterborough Police station to make a criminal complaint. During her interview, ██████████ disclosed that an unknown man entered her dorm room uninvited and engaged in non-consensual, violent vaginal and oral intercourse with her.

16. During her interview, ██████████ provided a description that matched Adam's physical characteristics but stated that she had never seen him before.

17. In or about January 2019, thirteen (13) months' after the initial complaint, ██████████ attended the Police station again to provide further details about the alleged assailant and confirmed that Adam was the individual who sexually assaulted her. It is also Adam's belief that ██████████ communicated her false complaint to a number of her friends and colleagues.

18. Following ██████████ complaint, Adam was charged with Break and Enter, contrary to the *Criminal Code of Canada*, RSC 1985, c C-46, and Sexual Assault, contrary to section 271 of the *Criminal Code* (the "Charges"). The Charges and Adam's name were published in a number of local media reports which disclosed that Adam had been arrested and charged with respect to an allegation that an unknown man entered a woman's home and sexually assaulted her.

19. During initial resolution discussions with Adam's legal counsel, the Crown Attorney sought a plea to the Charges and a sentence that included a penitentiary prison time. Adam refused to plead guilty to the Charges and scheduled a judicial pre-trial.

20. On or about July 18, 2019, the Charges were withdrawn against Adam at the request of the Crown in Peterborough Provincial Court as the Crown concluded that there was no reasonable prospect of convicting Adam with respect to the Charges. This conclusion was reached once Adam's legal counsel disclosed the Snapchat messages showing that ██████████ knew Adam during the month of September and continued to have some sort of relationship with him, which was significantly inconsistent from her statements to the Police.

## ADAM'S CLAIM

### MALICIOUS PROSECUTION

21. Based on the foregoing, Adam states that [REDACTED] engaged in the tort of malicious prosecution in that:

- (a) [REDACTED] desired and intended that Adam be prosecuted and was actively instrumental in commencing the criminal proceeding against Adam;
- (b) the prosecution was terminated in favour of Adam;
- (c) [REDACTED] undertook and commenced the prosecution without reasonable and probable cause as she knew that Adam had not committed any criminal act; and
- (d) [REDACTED] acted with malice and/or commenced the prosecution for an improper purpose as she provided misleading evidence to the police and/or withheld exculpatory information of facts that were so peculiarly within her knowledge that it was virtually impossible for the professional prosecutor or police officer to exercise any independent discretion or judgment in determining whether or not to lay the charge.

### DEFAMATION

22. Based on the foregoing, Adam states that [REDACTED] engaged in the tort of defamation in that she made statements that:

- (a) would tend to lower Adam's reputation in the eyes of a reasonable person;
- (b) referred to Adam; and
- (c) were communicated to at least one person other than the plaintiff.

### DAMAGES

23. The actions and/or omissions of the Defendant were designed to, and did in fact, cause damages to the Plaintiff, including but not limited to: mental distress, stress, anxiety, upset,



[REDACTED]

[REDACTED]

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**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at  
Peterborough, Ontario

**STATEMENT OF CLAIM**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]