

Court File No. CV-20-00642705-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

DANIEL CARCILLO and GARRETT TAYLOR

Plaintiffs

- and -

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE, CANADIAN HOCKEY LEAGUE, WESTERN HOCKEY LEAGUE, QUEBEC MAJOR JUNIOR HOCKEY LEAGUE, BARRIE COLTS JUNIOR HOCKEY LTD., GUELPH STORM LTD., HAMILTON BULLDOGS FOUNDATION INC., KINGSTON FRONTENACS HOCKEY LTD., KITCHENER RANGERS JR. A. HOCKEY CLUB, LONDON KNIGHTS HOCKEY INC., MISSISSAUGA STEELHEADS HOCKEY CLUB INC., 2325224 ONTARIO INC. o/a MISSISSAUGA STEELHEADS, NIAGARA ICEDOGS HOCKEY CLUB INC., NORTHBAY BATTALION HOCKEY CLUB LTD., OSHAWA GENERALS HOCKEY ACADEMY LTD., OTTAWA 67'S LIMITED PARTNERSHIP c.o.b. OTTAWA 67'S HOCKEY CLUB, THE OWEN SOUND ATTACK INC., PETERBOROUGH PETES LIMITED, 649643 ONTARIO INC. o/a 211 SSHC CANADA ULC o/a SARNIA STING HOCKEY CLUB, SOO GREYHOUNDS INC., SUDBURY WOLVES HOCKEY CLUB LTD., WINDSOR SPITFIRES INC., MCCRIMMON HOLDINGS, LTD., 32155 MANITOBA LTD., A PARTNERSHIP c.o.b. as BRANDON WHEAT KINGS, BRANDON WHEAT KINGS LIMITED PARTNERSHIP, CALGARY FLAMES LIMITED PARTNERSHIP, CALGARY SPORTS AND ENTERTAINMENT CORPORATION, EDMONTON MAJOR JUNIOR HOCKEY CORPORATION, KAMLOOPS BLAZERS HOCKEY CLUB, INC., KAMLOOPS BLAZERS HOLDINGS LTD., KELOWNA ROCKETS HOCKEY ENTERPRISES LTD., PRINCE ALBERT RAIDERS HOCKEY CLUB INC., EDGEPRO SPORTS & ENTERTAINMENT LTD., QUEEN CITY SPORTS & ENTERTAINMENT GROUP LTD., BRAKEN HOLDINGS LTD., REBELS SPORTS LTD., SASKATOON BLADES HOCKEY CLUB LTD., VANCOUVER JUNIOR HOCKEY LIMITED PARTNERSHIP and VANCOUVER JUNIOR HOCKEY PARTNERSHIP, LTD c.o.b. VANCOUVER GIANTS, WEST COAST HOCKEY LLP, WEST COAST HOCKEY ENTERPRISES LTD., o/a VICTORIA ROYALS, MEDICINE HAT TIGERS HOCKEY CLUB LTD., 1091956 ALTA LTD. o/a THE MEDICINE HAT TIGERS, SWIFT CURRENT TIER 1 FRANCHISE INC. and SWIFT CURRENT BRONCOS HOCKEY CLUB INC. o/a SWIFT CURRENT, ICE SPORTS & ENTERTAINMENT INC.

o/a WINNIPEG ICE, MOOSE JAW TIER 1 HOCKEY INC. D.B.A. MOOSE JAW and MOOSE JAW WARRIORS TIER 1 HOCKEY, INC. WARRIORS o/a MOOSE JAW WARRIORS, LETHBRIDGE HURRICANES HOCKEY CLUB, 649643 ONTARIO INC. c.o.b. as SARNIA STING, KITCHENER RANGER JR A HOCKEY CLUB and KITCHENER RANGERS JR "A" HOCKEY CLUB, LE TITAN ACADIE BATHURST (2013) INC., CLUB DE HOCKEY JUNIOR MAJEUR DE BAIE-COMEAU INC. o/a DRAKKAR BAIE-COMEAU, CLUB DE HOCKEY DRUMMOND INC. o/a VOLTIGEURS DRUMMONDVILLE, CAPE BRETON MAJOR JUNIOR HOCKEY CLUB LIMITED o/a SCREAMING EAGLES CAPE BRETON, LES OLYMPIQUES DE GATINEAU INC., HALIFAX MOOSEHEADS HOCKEY CLUB INC., CLUB HOCKEY LES REMPARTS DE QUEBEC INC., LE CLUB DE HOCKEY JUNIOR ARMADA INC., MONCTON WILDCATS HOCKEY CLUB LIMITED, LE CLUB DE HOCKEY L'OCEANIC DE RIMOUSKI INC., LES HUSKIES DE ROUYN-NORANDA INC., 8515182 CANADA INC. c.o.b. CHARLOTTETOWN ISLANDERS, LES TIGRES DE VICTORIAVILLE (1991) INC., SAINT JOHN MAJOR JUNIOR HOCKEY CLUB LIMITED, CLUB DE HOCKEY SHAWINIGAN INC. o/a CATARACTES SHAWINIGAN, CLUB DE HOCKEY JUNIOR MAJEUR VAL D'OR INC. o/a VAL D'OR FOREURS, 7759983 CANADA INC. c.o.b. AS CLUB DE HOCKEY LE PHOENIX, 9264-8849 QUEBEC INC. c.o.b. as GROUPE SAGS 7-96 AND LES SAGUENEENS, JAW HOCKEY ENTERPRISES LP c.o.b. ERIE OTTERS, IMS HOCKEY c.o.b. FLINT FIREBIRDS, SAGINAW HOCKEY CLUB, L.L.C., EHT, INC., ~~JOHN DOE CORP. A o/a EVERETT SILVERTIPS HOCKEY CLUB~~, WINTERHAWKS JUNIOR HOCKEY LLC, PORTLAND WINTER HAWKS INC., THUNDERBIRDS HOCKEY ENTERPRISES, L.L.C., ~~JOHN DOE CORP. B. o/a SEATTLE THUNDERBIRDS~~, BRETT SPORTS & ENTERTAINMENT, INC., HAT TRICK, INC., ~~JOHN DOE CORP. C o/a SPOKANE CHIEFS~~, TRI-CITY AMERICANS HOCKEY LLC, and TOP SHELF ENTERTAINMENT, INC. and ~~JOHN DOE CORP. D o/a TRI-CITY AMERICANS~~

Defendants

Proceeding under the *Class Proceedings Act, 1992*

AFFIDAVIT OF DAVE LORENTZ
(Sworn November 1, 2021)

I, Dave Lorentz, of the City of Peterborough, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I played in the Ontario Hockey League (the **OHL**) with the Peterborough Petes for three seasons between 1987 and 1990. During my second last season, I was the team captain, and during my last season, I was the assistant captain.
2. After my time in the OHL, I attended the University of Waterloo and played two seasons for Waterloo's men's varsity hockey team (1990-1992). During that time, I also played for Team Canada in the Spengler Cup in 1991.
3. After completing my degree, I played professionally in Denmark for the Odense Bulldogs (1992-1993), and semi-professionally in the Colonial Hockey League for the Chatham Wheels (1993-1994) and in the United Hockey League for the Brantford Smoke (1997-1998).
4. I currently serve as Vice President on the Petes' Board of Directors, a position I have held since January 2013. I am also a high school Principal in the Kawartha Pine Ridge District School Board in Peterborough since 1997.
5. I know about the matters in this affidavit. If I have made statements of my information and belief, the source of the information and the fact of the belief are specified in this affidavit.

My Experience with the Peterborough Petes

6. My first year playing for the Petes was during the 1987-1988 season. On the Petes, the only "initiation" I experienced was a version of the "hot box". Four or five rookies went into the bus bathroom on a road trip near the beginning of the season. Our clothes were tied up into a ball and we had to untie the ball, get dressed, and come out as quickly as possible. When I

participated in the “hot box”, it took us less than five minutes to untie our clothes and come out.

The longest I ever witnessed rookies in the “hot box” was 20-30 minutes.

7. My experience with the “hot box” was much less severe than that described by the plaintiffs. The veteran players never poured anything through the vents while we were in the bathroom. I experienced the “hot box” as a team building “race against the clock” activity that was all in good fun. I do not recall rookies ever being physically forced to participate, if they chose not to.

8. Other than the “hot box”, there was no “initiation” on the Petes. The General Manager and coaching staff would not have permitted anything more serious. For example, I remember several veteran players wanting to cut a particular rookie's hair, but the coach stepped in and made clear that this conduct crossed a line. There were no “rookie parties” for “initiation” purposes. I was never made to drink or make anyone else drink alcohol. First-year players were sometimes responsible for doing certain team chores, like carrying the stick bag, but I did not view this as “hazing” or “initiation”.

9. The Petes had a strong support network in place for players. I had a very good relationship with the General Manager and head coach, Dick Todd, and the rest of the coaching staff and trainers. If there was any sort of issue, I would have felt comfortable raising it with one of them. As a rookie, I would have also felt comfortable raising any sort of issue with the veteran players. The veterans on the Petes when I was a rookie were supportive and sought to mentor the new players, not tease or torment them. When I was a veteran, I tried to do the same for new players.

10. In addition, I would have felt comfortable raising any concerns or complaints I had with my billet family or the support network the team had set up. Some of the billets for the Petes were police officers, who reinforced the importance of reporting any inappropriate behaviour. One in particular is still involved with the Petes as our Billet Liaison, and one former member of the Board of Directors was the Assistant Chief of Police. The team also had a local chaplain who worked with the players each month and provided a further avenue to discuss any struggles or stresses we may have been experiencing while living away from home. As a player, if I had any concerns, I had people that I could rely on to talk to and listen.

My Post-OHL Career

11. From 1990 to 1992, I attended and played hockey for the University of Waterloo. The “initiation” I experienced playing varsity hockey at Waterloo was much more severe than anything I experienced on the Petes.

12. After university, I moved overseas and played professionally in Denmark for one season (1992-1993), before moving to the United States and playing two seasons in the semi-professional leagues (1993-1994 and 1997-1998).

13. In 2013, I returned to the Petes organization as Vice President of the Board of Directors. The attitude toward “initiation” on the Petes, while always concerned with preventing severe forms of “hazing”, has shifted toward a zero-tolerance approach toward any differential treatment of first-year players. From the time I joined the Board, it has been clear to me that “hazing” in any form is unacceptable and no longer seen as conducive to team building. While, in my view, not an example of “hazing”, first-year players are no longer responsible for certain team chores. These tasks are shared equally among players.

14. The Petes are a private, non-profit organization. As a result, we are concerned with setting an example for our players and for the community at large. The Board of Directors consists of doctors, educators, police officers and business leaders in the community. The reputation of the Petes and the welfare of our players are our first and foremost priority. I am proud to say there have been no reported incidents of “initiation” or “hazing” since I have been on the Petes’ Board.

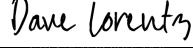
15. For a time period, I was the Principal at the high school where most of the Petes players attended, until I was rotated to a different school (on a set schedule). This provided me further insight into their everyday lives. My wife remains an administrator at this school, and other teachers keep me apprised of any issues about the Petes players given my position on the Board. I have not heard of any issues involving “initiation” or “hazing” on the Petes through my position as a high school Principal.

SWORN by Dave Lorentz of the City of Peterborough, in the Province of Ontario, before me at the City of Toronto, in the Province of Ontario, November 1, 2021 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DocuSigned by:

Marshall Torgou

Commissioner for Taking Affidavits
(or as may be)

DocuSigned by:

Dave Lorentz

DAVE LORENTZ

DANIEL CARCILLO et al.
Plaintiff

-and-

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE et al.
Defendants
Court File No. CV-20-00642705-00CP

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PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF DAVE LORENTZ

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