

THE QUEEN'S BENCH
Winnipeg Centre

BETWEEN:

MARTIN GREEN,

plaintiff,

- and -

**HIEP TRAM, ARLENE SKULL, DEB WOLOSHYN, WALLY STEWART, JOHN
ANCHAN, AND THE UNIVERSITY OF WINNIPEG.**

defendants.

AFFIDAVIT OF MARTIN GREEN

MARTIN GREEN
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I, MARTIN GREEN of the City of Winnipeg in the Province of Manitoba, being the plaintiff herein, MAKE OATH AND SAY (or AFFIRM):

1. I am the Plaintiff in the proceedings herein, and as such have personal knowledge of the facts and matters hereinafter deposed to by me, except where the same are stated, expressly or implicitly, to be based on information received or statements made to me, in which case I do verily believe the statements and the information to be true.
2. I have filed a Motion with the Court to exclude the individual parties in the case from attending the discoveries of their co-defendants.
3. If allowed to attend each other's examinations, there is a reasonable apprehension that the individual defendants may tailor their testimony in order to harmonize their evidence with that of their co-defendants.
4. Due to the nature of the case and the conflicting narratives of the opposing parties, the credibility of those parties will be a decisive factor in determining the outcome of the case.

5. In their statements of defense, the co-defendants have set forth a narrative of events which establishes a clear commonality of interest between them.
6. If the individual defendants intend to testify truthfully upon examination, there can be little prejudice to their interests if the present motion is allowed, and great prejudice to the interests of the plaintiff in the alternative.
7. The defendants have published their reasons for my expulsion in a report dated January 20th 2012. Attached hereto and marked as Exhibit (1) is a copy of this report.
8. I have obtained a diary of the defendant TRAM relating to events pertaining to this case between the dates of Nov. 8th and Nov. 18th 2011. Attached hereto and marked as Exhibit (2) is a copy of this diary.
9. I have obtained a copy of correspondence between the defendants SKULL and WOLOSHYN relating to events pertaining to this case dated Nov. 21st 2011. Attached hereto and marked as Exhibit (3) is a copy of this correspondence.
10. The applicant does not seek to apply the sought-after order for exclusion with regard to the presence of the individual applicants at the examination of the University of Winnipeg.
11. The applicant will seek appropriate conditions from the Court to ensure that the implementation of the sought-after order shall be fair and effective.

SWORN (or Affirmed) before me in the
City of Winnipeg in the Province of
Manitoba on

(Date)

(signature of deponent)

Commissioner of Oaths