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THE PROVINCIAL COURT OF MANITOBA
Winnipeg Centre

IN THE MATTER OF :

An application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD,

Applicant,

- and -

CLAIRE DEANNA DEMERY,

Respondent.

FILED
QUEEN'S BENCH

NOV 20 2009

LAW COURTS
WINNIPEG

NOTICE OF APPLICATION TO SET ASIDE A PROTECTION ORDER

CHAPMAN, GODDARD, KAGAN

Barristers and Solicitors
1864 Portage Avenue
Winnipeg, Manitoba
R3J 0H2

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ELIE
LIONEL BOUCHARD



CLAIRE DEMERY, TEACHER

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File No. FD09-01-92695

THE COURT OF QUEEN'S BENCH
Winnipeg Centre

IN THE MATTER OF : An application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD,

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- and -

CLAIRE DEANNA DEMERY,

Respondent.

AFFIDAVIT OF CLAIRE DEANNA DEMERY

Sworn the 8 day of December, 2009

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DEC 10 2009
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WINNIPEG

CHAPMAN, GODDARD, KAGAN
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IN THE MATTER OF : An application under *The Domestic Violence and Stalking Act*

B E T W E E N:

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- and -

CLAIRE DEANNA DEMERY,

Respondent.

AFFIDAVIT OF CLAIRE DEANNA DEMERY

I, **Claire Deanna Demery**, of the City of Winnipeg, in the Province of Manitoba,

MAKE OATH AND SAY:

1. That I am the one of the Respondents herein and as such I have personal knowledge of the facts and matters hereinafter deposed to by me, except where same were stated to be based upon information and belief and where so stated I do verily believe same to be true.
2. That I have read the Application for the Protection Order brought by my father, Lionel Andre Bouchard, as well as a transcript of the proceeding and I make this Affidavit in response thereto.

3. That the allegations, specifically that I assisted in some fashion in regards to the Life Estate litigation between my brother, Andre Lionel Bouchard, and my father, are untrue. No monies were offered by myself to Mike Slegers in connection with that matter.
4. That in respect to allegations concerning the use of the Power of Attorney provided to me by my father at the Caisse Populaire in Elie, Manitoba, same was used in order to prevent financial abuse of my father by my sister, Marlene Legare. I had, after my father had disappeared for two weeks in March, 2008, used my Power of Attorney at the time to cancel my father's Line of Credit at the Casse Populaire in Elie, Manitoba. I did this to prevent him from being put into debt by my sister, Marlene, whom I knew to be involved in my father's sudden disappearance. Before cancelling the Line of Credit I had spoken with the bank who recommended that course of action to me given the rather sudden nature of my father's disappearance.
5. That in response to his allegation that I, at no point in time did I physically pushed him and same is completely and totally untrue. I have never screamed at my father over the telephone when he has contacted me in 2006, 2007. The telephone conversations since February, 2008, consisted of someone speaking in the background telling my father what to ask, and what to say in response to my questions to him. I have advised my father that I did not want to speak to him so long as Marlene was listening in, and writing down the contents of our conversations. Having advised my father that I would speak to him in person when he returned to Manitoba and that I did not want him to be recorded, I have limited my communications with my father. The last conversation I had directly with my father was in Easter of 2009 and I have refused to answer any of his calls since that time.
6. That I am also aware from my discussions with Mike Slegers that my father has continued to

phone Mr. Slegers on many occasions since October 30, 2009. Mr. Slegers has advised me very recently that he received a call from my father asking for \$25,000.00. When Mr. Sleger's asked him a few questions my father's response was to tell him to F#\$@% off and terminated the call.

7. That in respect of the assertion that I played any significant role in him moving from his home to St. Eustache Manor, this is untrue. The only role which I played in that matter was as a family member in discussions with my sister, Linda and brother Andre, as to what was in my father's best interest at that juncture. The land at the time belonged to my brother, whose ultimate decision it was. I believed from discussions with my father he had no problem with the move. I know my father lived in St. Eustache for the better part of one year in 2006 and certainly did not have any great concerns over those arrangements. It was during that time that Marlene attended at the St. Eustache Manor and was charged by the RCMP with mischief and trying to break in father's door.

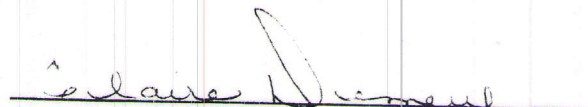
8. That in July, 2008, when my father reappeared in Manitoba, he spent time with myself and my family in Teulon, Manitoba, where he appeared very relaxed. He had advised me that he would love to live in Teulon, Manitoba, with myself and expressed concerns about Marlene's control over him.


9. That I have done nothing whatsoever to entitle the Applicant to an Order for Protection. I have grave concerns about my father's mental capacity and the control being exercised over him by Marlene Legare, and same would be the only reason as to why I would require any contact with my father.

*

10. That I make this Affidavit *bona fide*.

SWORN Before me at the City of)
Winnipeg, in the Province of)
Manitoba, the 8 day of)
December, 2009.)


CLAIRE DEANNA DEMERY


KELLY P. LAND
A Barrister entitled to practice in and
For the Province of Manitoba