

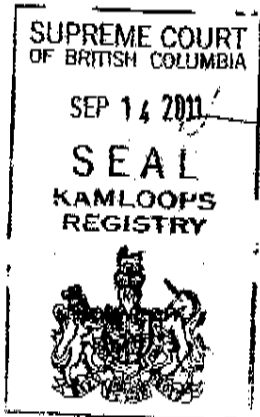
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**FORM 3
(RULE 3-4 (1))**

No. 46161
Kamloops Registry

In the Supreme Court of British Columbia

John Phillip Stirling, Marlene Cheryl Stirling

Plaintiff(s)

and:

Shawn Martin, Myrna Beckman

Defendant(s)

and

Defendant(s) by
way of
counterclaim

COUNTERCLAIM

Filed by:

[party(ies)]

To: John Phillip Stirling

[name(s) of party(ies) against whom the counterclaim is brought]

This action has been brought by the plaintiff(s) against the defendant(s) for the relief set out in the notice of civil claim filed in this action.

TAKE NOTICE that the defendant(s) Shawn Martin & Myrna Beckman
[state name(s)]

claim(s) against you for the relief set out in Part 2 below.

IF YOU INTEND TO RESPOND to the claim made against you in this counterclaim, or if you have a set-off or counterclaim that you wish to have taken into account at the trial, YOU MUST FILE a response to counterclaim in Form 4 in the above-named registry of this court within the time for response to counterclaim described below and SERVE a copy of the filed response to counterclaim on the address for service of the defendant(s) bringing this counterclaim.

YOU OR YOUR LAWYER may file the response to counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to counterclaim within the time for response to counterclaim described below.

Time for response to counterclaim

A response to counterclaim must be filed and served on the defendant(s) bringing this counterclaim.

- (a) if you were served with the counterclaim anywhere in Canada, within 21 days after that service,
- (b) if you were served with the counterclaim anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the counterclaim anywhere else, within 49 days after that service, or
- (d) if the time for response to counterclaim has been set by order of the court, within that time.

Part 1: STATEMENT OF FACTS

[Using numbered paragraphs, set out a concise statement of the material facts giving rise to the counterclaim.]

- 1 Between June 1\2007 & February 24\2011 Defendants Shawn Martin & Myrna Beckman lent the plaintiffs John Stirling & Marlene Stirling approximately \$30,000. On February 24\2003 a new agreement was written up and signed by the Plaintiffs stating that they owed the Defendants \$30,000. The Defendants have multiple e-mails & recordings by the Plaintiffs stating they owed this money and would pay the Defendants back.
- 2 The Defendants have e-mails from the Plaintiffs saying that everyone else has been paid on their investments and if the Defendants did not stop asking for their money the Plaintiffs were going to spread false rumors about the defendants in their community and were going to post e-mails all over the public mail boxes at the Adams Lake Store concerning the Defendants illegal activities.
- 3 The Defendants have multiple e-mails and recordings by the Plaintiff John Stirling admitting to stalking and threatening to shoot the Defendants.
- 4 On September 10\2011 the Defendants were informed that the plaintiff John Stirling has been seeking to hire people to burn down the Defendants house and cause physical harm to them.
- 5 The Defendant Shawn Martin is a 37 year old male who has dwarfism and uses crutches and a wheelchair to get around. The Defendant Myrna Beckman is a 63 year old single woman who is Shawn's mom whom he realize on for help. Because of these threats of violence, harassment and intimidation, by the Plaintiffs towards the Defendants, have caused the Defendants undue stress and security costs.
- 6 The Defendants have told the Plaintiff Marlene Stirling what her husband John Stirling has been doing and saying and is well aware of what is going on. The Plaintiff Marlene Stirling continuously makes excuses for her husband John Stirling and turns a blind eye to what he is doing. By doing this the Plaintiff Marlene Stirling is condoning her husband's actions and should be held accountable as well as the plaintiff John Stirling.
- 7 The Defendants have lost significant investment income and profits due to the Plaintiffs not paying back the money they borrowed from the Defendants.
- 8 The Defendants have video tape evidence of the Plaintiff John Stirling threatening to kill more than one person(s) at gun point.
- 9 The Defendants have told the Plaintiff John Stirling multiple time that he is not to phone or step foot on the Defendants property. The Plaintiff John Stirling has been seen coming onto the Defendants property by witnesses multiple time since being told not to. On August 29\2011 the Plaintiff John Stirling was seen by witnesses, coming onto the Defendants property and leaving papers at their front door. On August 31\2011 a uniformed RCMP police officer, driving a marked police car, pulled behind the Plaintiff John Stirling's grey GMC truck on the Defendants property. The RCMP officer witnessed John Stirling get out of the truck and put some papers under the windshield wipers on the Defendants vehicle. The Defendants also have pictures of the Plaintiff John Stirling and the RCMP on the Defendants property on August 31\2011 when the Plaintiff John Stirling was not supposed to be on the Defendants property.
- 10 The Plaintiffs have driven past the Defendants place of residence on multiple occasions honking their horn.

CLAIM OF THE DEFENDANT(S) BRINGING THE COUNTERCLAIM

11 The Defendants have endured undue stress, anxiety, loss of sleep, security costs and loss of revenue due threats of physical harm and violence by the Plaintiff.

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(if more space is required - attach page and state "See Attached")

(If any party sues or is sued in a representative capacity, identify the party and describe the representative capacity.)

Part 2: RELIEF SOUGHT

(Using numbered paragraphs, set out the relief sought and indicate against which party(ies) that relief is sought. Relief may be sought in the alternative.)

- 1 The Defendants lent the plaintiffs a total of \$30,000. The Defendants sold the Plaintiffs boat and truck and deducted that amount from the plaintiffs debt, which still leaves a remaining balance the Plaintiffs owe the Defendants of \$15,700.

- 2 The Defendants have incurred legal fees trying to collect their money from the Plaintiffs and legal fees trying to defend themselves from the Plaintiffs frivolous lawsuit. The Defendants seek all legal fees and court costs associated by this case.

- 3 The Defendants seek income and profits they would not have lent it to the Plaintiffs and the Plaintiffs would of paid the Defendants their money back when they were supposed to.

- 4 The Defendants seek all interest charges they have incurred from their visa since lending the Plaintiffs the money.

- 5 Each Defendants seeks \$70,000 from each of the Plaintiffs

- 6 The Defendants seek punitive damages from each of the plaintiffs at the honors discretion.

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[if more space is required - attach page and state "See Attached"]

Part 3: LEGAL BASIS

[Using numbered paragraphs, set out a concise summary of the legal bases on which the defendant(s) bringing this counterclaim intend(s) to rely in support of the relief sought and specify any rule or other enactment relied on. The legal bases for the relief sought may be set out in the alternative.]

- 1 The Plaintiffs have admitted in multiple e-mails & recordings to borrowing & owing the Defendants the amount the Defendants seek.
- 2 The Plaintiffs have admitted in multiple e-mails that if the Defendants would have waited a little longer the Plaintiffs would of paid the Defendants their money back just like everyone else had been.
- 3 The Defendants have monthly statements from their credit card company with interest charges they have incurred relating to the money the Defendants lent the Plaintiffs.
- 4 The Plaintiffs have admitted in multiple e-mails to harassing and stalking the Defendants. The Plaintiffs have also admitted in multiple e-mails to threats of violence and physical harm to the Defendants.
- 5 The Defendants have video tape evidence of the Plaintiff John Stirling threatening to kill one or more people at gun point.

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[if more space is required - attach page and state "See Attached"]

[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

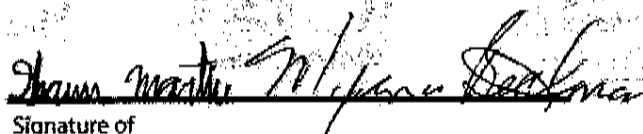
Defendant's address for service: [REDACTED] Road, Chase, British Columbia Canada [REDACTED]

Fax number address for service (if any): [REDACTED]

E-mail address for service (if any): [REDACTED]

Date: 14/Sep/2011

[dd/mm/yyyy]



Signature of

Filing party

Lawyer for filing party(ies)

Shawn Martin

[type or print name]

Rule 7-1 (1) of the Supreme Court Civil Rules states:

(1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

(a) prepare a list of documents in Form 22 that lists

(i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and

(ii) all other documents to which the party intends to refer at trial, and

(b) serve the list on all parties of record.