

COURT FILE NUMBER: 2301 12271

COURT: COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE: CALGARY

PLAINTIFF: REBECCA MARIE INGRAM

PLAINTIFF: CHRISTOPHER SCOTT carrying on business as THE  
WHISTLE STOP CAFE

DEFENDANT: HIS MAJESTY THE KING IN RIGHT OF ALBERTA

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QUESTIONING ON AFFIDAVIT OF

DEIRIAN EBERLE-MORRIS

Edmonton, Alberta, Canada

June 20, 2024

Volume 1

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APPEARANCES

**FOR THE PLAINTIFF CHRISTOPHER SCOTT carrying on  
business as THE WHISTLE STOP CAFE:**

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**FOR THE DEFENDANT HIS MAJESTY THE KING IN RIGHT OF  
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**ALSO PRESENT:**

Stephanie Marocco

Court Reporter

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(PROCEEDINGS COMMENCED AT 9:54 A.M.)

Deirian Eberle-Morris, having been duly sworn,

questioned by J. R. W. Rath, testified as follows:

**Q Good morning, Deirian.**

**MR. RATH:** So just for the record, we had an off-the-record discussion with the witness.

**Q MR. RATH:** So since the swearing of your affidavit, you've been married, and you've changed your legal name?

**A** Yes.

**Q** And for the record, could you please state your full legal name?

**A** So it's Deirian Eberle-Morris.

**Q** And for the record, Eberle is E-b-e-r-l-e, Morris, M-o-r-r-i-s.

And you're the same Deirian Eberle-Morris that swore the affidavit in this matter dated June 7th, 2024?

**A** Yes.

**Q** Okay. And in that affidavit, you state you're a legal assistant with the Department of Justice, and that you've reviewed your litigation file and have personal knowledge of facts and matters deposed to in this affidavit, including that you were advised by counsel and verily believe that prior to the questioning of Christopher Scott on April 25, 2024, the Scott Questioning, HMK Counsel [*phonetic*]

1 conducted a search on ww.facebook.com [sic] and  
2 identified a Facebook page for The Whistle Stop  
3 Cafe, which contained the following posts. That  
4 paragraph is familiar to you?

5 A Yes.

6 Q Okay. What was the name of the counsel that you  
7 were advised -- that advised you?

8 A I'm not sure which one it was. There's three, so it  
9 was one of the three.

10 Q So --

11 MR. DUBE: Sorry, and just to clarify,  
12 are you asking who advised her of the searches or  
13 who conducted the searches?

14 MR. RATH: Well, first of all, she says  
15 I'm advised by counsel under -- you know, and verily  
16 believe --

17 Q MR. RATH: With regard to your belief,  
18 right, which counsel provided you the advice upon  
19 which you based your belief? What was the name of  
20 that counsel?

21 A It was a combination of all three. I can't say --  
22 like, it wasn't one or the other.

23 Q So what were the names of the three counsel, then?

24 A John-Marc Dube, Frances Chiu, and Jessica Flanders.

25 Q Right. And with regard to any or all of your  
26 affidavit, you don't know which specific counsel  
27 provided you the advice upon which this affidavit is

1           **based?**

2       A    No.

3       MR. RATH:                            Can we just take five  
4       minutes.

5    (BRIEF ADJOURNMENT)

6       Q    MR. RATH:                        So are you aware of which  
7       specific counsel conducted -- allegedly conducted a  
8       search on facebook.com?

9       A    No. I'm not sure. Just one of the counsel.

10      Q    Okay. And are you aware whether or not this search  
11      was conducted on a government computer or on a  
12      personal Facebook account or any particulars with  
13      regard to the search?

14      A    That I'm not sure of.

15      Q    Right. And are you aware whether the search was  
16      conducted lawfully or unlawfully?

17      A    That I --

18      MR. DUBE:                            She can't answer whether  
19      anything is lawfully or unlawfully.

20      Q    MR. RATH:                        Well, so -- and, again, this  
21      might be tedious, but with regard to paragraph 3,  
22      you say you're advised by counsel and believe.  
23      Again, you can't identify which specific counsel  
24      advised you with regard to paragraph 3?

25      A    No. Again, it was a combination of the three.

26      Q    But you don't remember which counsel advised you?

27      A    No.

1 Q And the same would be true for paragraph 4?

2 A Correct.

3 Q And paragraph 5?

4 A Correct.

5 Q And paragraph 6?

6 A Correct.

7 MR. RATH: Those are all of our  
8 questions. Thank you.

9 MR. DUBE: Thank you.

10 (PROCEEDINGS ADJOURNED AT 10:01 A.M.)

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CERTIFICATE OF TRANSCRIPT

I, Stephanie Marocco, hereby certify that the foregoing pages are a true and faithful transcription of the proceedings taken down by me in shorthand and transcribed by means of a computer-aided transcription system to the best of my skill and ability.

Dated at the City of Edmonton, Province of Alberta, this 20th day of June AD 2024.



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Stephanie Marocco, CSR(A),  
Court Reporter

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