

Supreme Court of Nova Scotia

Between

Jarett Reginald Stewart Dunn

Plaintiff

and

Baton Corporation Ltd, Alon Cohen, Dylan Kerler and Noah Tweedale

Defendants

Notice of Motion

DRAFT FOR REVIEW AND COMPLETION

This draft seeks an early judicial permission and directions hearing first. The summary judgment request is to be decided only after lawful notice, the opportunity to respond, and completion of the evidence timetable ordered by the Court. No hearing has been assigned and no order has been made.

Hearing and participation

Moving party: Jarett Reginald Stewart Dunn, self-represented plaintiff. To: each named defendant and any counsel accepting service for that defendant.

Hearing date and time: TO BE CONFIRMED BY COURT. Place or mode: TO BE CONFIRMED BY COURT. Proposed registry: Halifax. Estimated initial directions hearing: more than one half-hour but less than one half-day, initially one hour, subject to the Court. A separate merits hearing of one day is requested, subject to the record and the Court's assessment.

Orders requested at the initial hearing

1. Under Rule 13.05(1), a direction permitting the plaintiff to bring a motion for summary judgment on evidence before pleadings close, on the timetable and conditions fixed by the Court. If early consideration is not permitted, directions fixing the earliest appropriate route and timetable after pleadings close.
2. Under Rules 23.05 and 26B, scheduling directions and, if appropriate, appointment of a case management judge. The directions should identify service requirements, preserve each defendant's opportunity to raise jurisdiction and other preliminary objections, and set dates for pleadings, affidavits, disclosure necessary for the motion, cross-examination, briefs and a merits hearing.
3. A direction that the proposed summary judgment motion may address Part H of the Statement of Claim against Baton, and Parts I and J against the defendants alleged to be liable, insofar as those claims can be decided independently of the validity of the English conviction. Any issue that requires the conviction to be set aside is to remain subject to the stay requested below.

Merits relief requested after the ordered timetable

4. Under Rules 13.04 and 13.07, summary judgment for the plaintiff on the claims in Parts H, I and J to the extent established by admissible evidence with no genuine issue of material fact requiring trial. The plaintiff seeks civil findings on the elements of each claim and on each defendant's liability; no defendant admission is a prerequisite to the requested judgment.
5. The full remedies pleaded in paragraph 67 and Schedules A and B are maintained. The plaintiff seeks the pleaded total of approximately CAD \$254,090,474.12 before interest, together with prejudgment interest and costs, and the further relief pleaded. This includes CAD \$250,000,000 punitive damages. The amounts and availability of each remedy remain matters for judicial determination on the evidence and applicable law; this motion does not amend or reduce the pleaded claims.
6. In the alternative, if liability is established and the amount payable is the only issue for trial, judgment for an amount to be determined under Rule 13.06, followed by an assessment, accounting or reference as directed. Every pleaded category and amount remains claimed, including the punitive claim, without double recovery or a finding that any amount is already proved.
7. As requested in paragraph 67(i), an order staying Part K and any other claim or issue found to depend on setting aside the conviction until the CCRC application and any resulting appeal are finally decided, with status reports and liberty to seek further directions. The Court is asked to identify the boundary of that stay so genuinely independent civil claims may proceed. No English conviction is asked to be vacated by this Court.
8. If the evidence is not ready for determination, an adjournment and targeted disclosure or other evidentiary directions under Rule 13.04(6)(b), or directions under Rule 13.08 if the motion is dismissed. Costs under Rule 77 and such further procedural relief as is just.

Grounds

9. The plaintiff states that he filed the action on 15 October 2026. The registry-assigned number and certified originating process have not yet been inserted in this draft. Service, defence deadlines, responses and close of pleadings have not yet been established. Early permission is therefore requested expressly; this is not a default judgment request or a claim that the summary judgment motion is already procedurally ripe.
10. Part H alleges that Baton employed the plaintiff from 6 April 2024 under a contract dated 12 April 2024 and failed to pay accrued salary, leave and contractual notice or payment in lieu. The plaintiff claims US\$28,377.50 less payments proved, supported by the complete contract, work records and payment reconciliation to be filed. He contends that the accrued remuneration claim can be decided without overturning the conviction; any notice defence remains for determination under the contract and applicable law.

Further grounds and evidence

11. The plaintiff relies on the 2024 UK statements identified in paragraphs 16 and 18 of the claim: Tweedale's 18 May statement that Baton "owns PUMP"; his 7 June description of pump.fun as a Baton product; and Cohen's 6 August reference to the "pump.fun website that we own and run". He contends these were substantive representations of ownership and operation. The complete statements and their provenance are to be placed in evidence, with any material qualifications and defendants' explanations.
12. The December 2024 reporter communications provide a further alleged act outside the criminal proceeding. Ryan S Gladwin reported in DMs that Sap said "PF never was and is still not a UK company" and attributed to Alon: "Just because he was employed by this company doesn't mean that this company owns pump fun." Ryan wrote that they declined to explain Baton or identify the owner. The plaintiff relies on the original exchange and seeks the underlying founder DMs and reporter evidence to establish the statements and their authorship.
13. In the Aguilar Answer at Docket 190, paragraph 11 denies that Baton is or does business as Pump.fun; footnote 1 describes a protocol rather than a company; paragraph 70 identifies Tweedale as the sole founder of Baton. The plaintiff contends that these positions, the UK statements and the reporter account, considered with evidence of the actual role of Baton, establish the knowing inconsistent representations and agreement alleged in Parts I and J. The full Answer and the earlier March 6, 2026 filing must be read in context. The plaintiff asks each defendant to identify any genuine material factual dispute, supporting evidence and legal distinction said to require trial.
14. The plaintiff alleges that the defendants knew of his psychiatric vulnerability and that their continuing conduct caused separate psychiatric, reputational, income and whistleblower-related harm, including harm in Nova Scotia, independently of the conviction. He contends the completed documentary and affidavit record will establish the independent claims under Rule 13.04. His affidavit and authenticated exhibits, reporter evidence, relevant medical causation evidence and proof of financial loss are to be filed under the ordered timetable. Part N's alternative English-law case, any privilege or immunity issue, and the requested stay of conviction-dependent claims remain for judicial determination. The punitive claim relies on Whiten and paragraph 66 of Part O.

Authorities and record

Nova Scotia Civil Procedure Rules 13.04 to 13.08, 23.03, 23.05, 23.08 to 23.11, 26A, 26B, 31, 39 and 77; Whiten v Pilot Insurance Co, 2002 SCC 18; Statement of Claim, Parts H to P, paragraph 67 and Schedules A and B.

Notice to responding parties

You may file an affidavit and a brief, attend the hearing and make submissions. An order may be made although you do not attend, subject to the Court being satisfied about notice and procedural fairness. Deadlines will be those lawfully applicable or ordered by the Court; this draft creates no admission deadline and treats silence as no admission.

Date: TO BE COMPLETED BEFORE FILING. Plaintiff signature: NOT APPLIED. Delivery address stated in claim: 59 MacKay St, New Glasgow, Nova Scotia B2H 3H5. Telephone: 716-226-8165. Email: jaretrsdunn@gmail.com.