

No. S217586 VANCOUVER REGISTRY

## IN THE SUPREME COURT OF BRITISH COLUMBIA

## BETWEEN:

ACTION4CANADA, KIMBERLY WOOLMAN, THE ESTATE OF JAQUELINE WOOLMAN, LINDA MORKEN, GARY MORKEN, JANE DOE #1, BRIAN EDGAR, AMY MURANETZ, JANE DOE #2, ILONA ZINK, FEDERICO FUOCO, FIRE PRODUCTIONS LIMITED, F2 PRODUCTIONS INCORPORATED, VALERIE ANN FOLEY, PASTOR RANDY BEATTY, MICHAEL MARTINZ, MAKHAN S. PARHAR, NORTH DELTA REAL HOT YOGA LIMITED, MELISSA ANNE NEUBAUER, JANE DOE #3

**PLAINTIFFS** 

AND:

HER MAJESTY THE QUEEN IN RIGHT BRITISH COLUMBIA, PRIME MINISTER JUSTIN TRUDEAU, CHIEF PUBLIC HEALTH OFFICER THERESA TAM, DR. BONNIE HENRY, PREMIER JOHN HORGAN, ADRIAN DIX, MINISTER OF HEALTH, JENNIFER WHITESIDE, MINISTER OF EDUCATION, MABLE ELMORE, PARLIAMENTARY SECRETARY FOR SENIORS' SERVICES AND LONG- TERM CARE, MIKE FARNWORTH, MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL, BRITISH COLUMBIA FERRY SERVICES INC. (OPERATING AS BRITISH COLUMBIA FERRIES), OMAR ALGHABRA, MINISTER OF TRANSPORT, VANCOUVER ISLAND HEALTH AUTHORITY, THE ROYAL CANADIAN MOUNTED POLICE (RCMP), AND THE ATTORNEY GENERAL OF CANADA, BRITTNEY SYLVESTER, PETER KWOK, PROVIDENCE HEALTH CARE, CANADIAN BROADCASTING CORPORATION, TRANSLINK (BRITISH COLUMBIA)

DEFENDANTS

# **APPOINTMENT**

		AFFOINT	IEN I	
I appoint:				
	Time;	April 13, 2023		
	Date:	10:00 a.m,		
	Place:	800 Smithe Street, Va	ncouver	
as the time	and place for	the:		
⊠ Coli		nt of the bill of costs of the ant to Rule 14-1(21)	defendants, Peter Kwok and Translink	(British
Attached to	this Appointn	nent is the bill of costs that	is the subject of this Appointment.	
Date; <i>Apr</i>	il 11, 201	23	Digitally signed by Naidu, Sanjeev	
			Registar	
To: Cou	insel for the pl	aintiffs		

TAKE NOTICE of the above appointment.

2

The person seeking the appointment believes the matter for which this appointment was sought:

- is of a time consuming or contentious nature
- will require 0.5 hours to complete the hearing before the Registrar

Date: December 16, 2023.

J. Chohan

Signature of lawyer for person seeking appointment

Jasmin Chohan

Address and telephone number of person seeking appointment or lawyer for person seeking appointment:

Name:

Jasmin Chohan

Address:

Lindsay Kenney LLP Barristers and Solicitors

1800 – 401 West Georgia Street

Vancouver, BC V6B 5A1

Telephone:

604-687-1323

Email:

jchohan@iklaw.ca

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ACTION4CANADA, KIMBERLY WOOLMAN, THE ESTATE OF JAQUELINE WOOLMAN, LINDA MORKEN, GARY MORKEN, JANE DOE #1, BRIAN EDGAR, AMY MURANETZ, JANE DOE #2, ILONA ZINK, FEDERICO FUOCO, FIRE PRODUCTIONS LIMITED, F2 PRODUCTIONS INCORPORATED, VALERIE ANN FOLEY, PASTOR RANDY BEATTY, MICHAEL MARTINZ, MAKHAN S. PARHAR, NORTH DELTA REAL HOT YOGA LIMITED, MELISSA ANNE NEUBAUER, JANE DOE #3

**PLAINTIFFS** 

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DEFENDANTS

**BILL OF COSTS** 

- 2 -

# This is the bill of costs of: Translink (British Columbia) and Peter Kwok

Tariff scale: B Unit Value: \$110.00

ltem	Description	Units	Claime	d Allowed
	Instructions and Investigations		11.00	
2	Correspondence, conferences, instructions, investigations or negotiations by a party after the start of the proceeding to the completion of the trial or hearing, for which provision is not made elsewhere in this tariff	Min. 1 Max. 30	5	
7	All process, for which provision is not made elsewhere in this tariff, for defending a proceeding, and for commencing and prosecuting a counterclaim	Min. 1 Max. 10	2	
	Applications, Hearings and Conferences			
21	Preparation for an application or other matter referred to in Item 0, for each day of hearing if hearing begun			
	(b) if opposed	3	3	
22	Application, other than an application referred to in- Item 0 or 0, for each day		5	
	(b) if opposed	5	Ť	
29	Preparation for attendance referred to in Item 30, for each day of attendance	2	1	
30	Attendance before a registrar to settle an order or to assess costs, for each day	4	2	
	Total Number of Uni	its:	18	
	Multiply by Unit Valu	.e: X\$	110	X\$
	Subtot	al: \$	1,980.00	\$
	GST (5% x \$1,98	0): \$	99.00	
	PST (7% x \$1,98	0): \$	138.60	\$
	TOTAL COST	rs: \$	2,217.60	\$

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DISBURSEMENTS:				Claimed	Allowed
NON TAXABLE DISBURSEMENTS: Agent's Disbursements		94.00			\$
NON-TAXABLE TOTAL:	<b>\$</b>	Sal Tames No. 11	\$ -	94.00	\$
TAXABLE DISBURSEMENTS: Agent's Fees		37.00			\$
TAXABLE TOTAL:	<b>\$</b>		\$	37.00	\$
GST (5% x \$37.00): TOTAL DISBURSEMENTS: TOTAL COSTS:			\$ _ \$ _ \$ _	1.85 132.85 2,217.60	\$ \$
TOTAL COSTS & DISBURSEMENTS:			\$_	2,350.45	\$
TOTAL ALLOWED;					\$
Date of Assessment: Signature of Assessing Officer:	,,,		<b>-</b>	T THE MINIST LACT LEAD THOSE PLENS LINES LANGUE AND LEADINGS AND LEADI	Adda (Wesh Wesh Shadodae o consument menya



REGISTRY

No. VLC-S-S217586 Vancouver Registry

# In the Supreme Court of British Columbia

BETWEEN:

Action4Canada, Linda Morken, Gary Morken, Jane Doe #1, Brian Edgar, Amy Muranetz, Jane Doe #2, Ilona Zink, Federico Fuoco, Fire Productions Limited, F2 Productions Incorporated, Valerie Ann Foley, Pastor Randy Beatty, Michael Martinz, Makhan S. Parhar, North Delta Real Hot Yoga Limited, Melissa Anne Neubauer, Jane Doe #3

Plaintiffs

-and-

His Majesty the King in right British Columbia, Prime Minister Justin Trudeau, Chief Public Health Officer Theresa Tam, Dr. Bonnie Henry, Premier John Horgan, Adrian Dix, Minister of Health, Jennifer Whiteside, Minister of Education, Mable Elmore, Parliamentary Secretary for Seniors' Services and Long-Term Care, Mike Farnworth, Minister of Public Safety and Solicitor General British Columbia Ferry Services Inc. (operating as British Columbia Ferries), Omar Alghabra, Minister of Transport, Vancouver Island Health Authority, The Royal Canadian Mounted Police (RCMP), and the Attorney General of Canada, Brittney Sylvester, Peter Kwok, Providence Health Care, TransLink (British Columbia)

Defendants

## ORDER MADE AFTER APPLICATION

DEFORE THE HONOURABLE MR. JUSTICE ROSS, AUGUST 29, 2022

ON THE APPLICATION of the Defendants, coming on for hearing at Vancouver on May 31<sup>st</sup>, 2022, and on hearing Action4Canada et al v. His Majesty the King et al, through the Plaintiffs' counsel Rocco Galati, counsel for the Defendants, Mark Witten counsel for His Majesty the King in Right British Columbia, Dr. Bonnie Henry, Premier John Horgan, Minister of Health, Jennifer Whiteside, Minister of Education, Mike Farnworth, Minister of Public Safety and Solicitor, Andrea Gatti

2023/Apr/18 2:28:54 PM

and Olivia French counsels for The Attorney General of Canada, Prime Minister
Justin Trudeau, the Royal Canadian Mounted Police (RCMP), Chief Public Health
Officer Dr. Theresa Tam, and Omar Alghabra Minister of Transport; Timothy
Wedge and Laura Miller counsel for Lawyer for Vancouver Island Health Authority
and Providence Health Care; and Tim Delaney counsel for Peter Kwok and
Translink; Connor Bildfell counsel for British Columbia Ferry Services Inc., and
Brittney Sylvester, and judgment being reserved to this date,

#### THIS COURT ORDERS that:

- 1. The notice of civil claim is struck in its entirety.
- 2. The Plaintiffs are at liberty to file an amended notice of civil claim.
- 3. This action is stayed pending the filing of a fresh notice of civil claim.
- 4. The costs of the motion are awarded to the Defendants, payable forthwith in any event of the cause.

The form of this order from the Judgment of Justice Ross on August 29th, 2022 is hereby approved.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONS

ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION Rocco Galati, B.A., LL.B., LL.M. Lawrence Wong

Lawyer for Action4Canada, Linda Morken, Gary Morken, Jane Doe #1, Brian Edgar, Jane Doe #2, Ilona Zink, Valerie Ann Foley,Pastor Randy Beatty, Michael Martinz, Melissa Anne Neubauer, Jane Doe #3

BY THE COURT

DEPUTY DISTRICT REGISTRAR

S217586

9/9

An fron Cast

Lawyer for The Attorney General of Canada, Prime Minister Justin Trudeau, the Royal Canadian Mounted Police (RCMP), Chief Public Health Officer Dr. Theresa Tam, and Omar Alghabra Minister of Transport

Lawyer for Vancouver Island Health Authority

and Providence Health Care

Mark Witten

Lawyer for His Majesty the King in right British Columbia, Dr. Bonnie Henry, Premier John Horgan, Minister of Health, Jennifer Whiteside, Minister of Education, Mike Farnworth, Minister of Public Safety and Solicitor

Connor Bildfell

Lawyer for British Columbia Ferry Services Inc., Brittney Sylvester

Laura Miller

Lawyer for Vancouver Island Health Authority and Providence Health Care

Tim Delaney

Lawyer for Peter Kwok and Translink