



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 Martin, Makhan S. Parhar, North Delta Real Hot Yoga Limited, Melissa Anne Neubauer, Jane Doe #3

Plaintiffs

AND:

Her Majesty the Queen in Right of 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

**APPLICATION RESPONSE**

**Application Response of:** The Defendant, British Columbia Ferry Services Inc. (operating as British Columbia Ferries) ("**BC Ferries**")

THIS IS A RESPONSE TO the Notice of Application of Her Majesty the Queen in Right of British Columbia; Dr. Bonnie Henry; Premier John Horgan; Adrian Dix, Minister of Health; Jennifer Whiteside, Minister of Education; and Mike Farnworth, Minister of Public Safety and Solicitor General filed the 12th day of January, 2022.

**PART 1: ORDERS CONSENTED TO**

BC Ferries consents to the orders sought in paragraphs 1-2 of Part 1 of the Notice of Application.

**PART 2: ORDERS OPPOSED**

BC Ferries opposes the granting of the orders set out in paragraphs NIL of Part 1 of the Notice of Application.

**PART 3: ORDERS ON WHICH NO POSITION IS TAKEN**

BC Ferries takes no position on the granting of the orders set out in paragraphs NIL of Part 1 of the Notice of Application.

**PART 4: FACTUAL BASIS**

1. N/A.

**PART 5: LEGAL BASIS**

1. N/A.

**PART 6: MATERIAL TO BE RELIED ON**

1. The pleadings filed herein; and
2. Such further and other materials as counsel may advise.

BC Ferries estimates that the application will take one day.

BC Ferries has not filed in this proceeding a document that contains an address for service.

**BC Ferries' address for service:**

McCarthy Tétrault LLP  
Barristers & Solicitors  
Suite 2400, 745 Thurlow Street  
Vancouver, BC V6E 0C5  
**Attention: Michael A. Feder, Q.C.  
Connor Bildfell**

Email address for service:

[mfeder@mccarthy.ca](mailto:mfeder@mccarthy.ca)  
[cbildfell@mccarthy.ca](mailto:cbildfell@mccarthy.ca)

DATED: January 19, 2022



MICHAEL A. FEDER, Q.C.  
CONNOR BILDFELL  
Counsel for the Defendant,  
British Columbia Ferry Services Inc.