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F I L E D	FEDERAL COURT COUR FÉDÉRALE		D É P O S É
September 27, 2023 27 septembre 2023			
Lindsay Krieger			
EDM	1		

Court File No: _____

FEDERAL COURT

BETWEEN:

James Gordon Bruce, Alexandre Sacha Tabarah, Tony Gregory Isaacs, Bart Conrad Postma, William Richard Garrow, Tanner Lee Slater, Brian Scott Isted, Collin Michael Lawson, John Robert McNabb, Jeffery Robert A Anderson, Jonathan David Walsh, Jean-Roch Chabot, Benjamin Maxwell Grossmith, Benjamin James Cocker, Matthew Nicholas Hutchinson, Stephen Francis King, Zachary Hamid Rambarransingh, Peter Hatvani, Holly Alexis, William Joseph G. Caron, Olivier Georges Thibault, Vincent JY Demers, Andrew George Trafananko, Bryghton William Charles Towns, Matthew Allin Stevens, Todd Simms, JDJ Steve Richard, Stephen James Robert Reid, Andrew Jonathan Pelkey, Micah Nickolas Pearson, Stephane Clouatre, Daniel Arthur Noonan, Simon James Morrison, John Menzies, Alvin S Mailvaganam, Robert William MacKay, Nikita Alexander F Kovaloff, Kyle Murray Hawkins, Timothy James Ford, Sebastien Cordeau, Ashley Lynn Watson, Alex Eric J Audet, Stephen Paul Awalt, Laura Danielle Banks, Sabrina Baron, Andrew Douglas Radford, Shane Samuel Bourgoin, Pierre-Olivier Bouthillette, Sacha Francis Cabezas, Kelly Elizabeth Campbell, Aaron Jonathan Cain, Joseph Hayden Convery, Dorian Francis Ellert, Joseph Daniel Elliott, Jonathan Andrew Cosman, Denise Ulrica Dickson, Ben Amos Doucette, Ryan Lynton Fisher, Lyla Rose Gamble, Jeremy Patrick Gearin, Michel JFM Gagnon, Michael John Hogan, Erin Anne Ellen Hawco, Stephanie Gravel, Timothy RP MacDonald, William Thompson McClay, Cole Don McCoy, Devon Edward Terry Malazdrewicz, Ryan Anthony Moerike, Benjamin Frederick Montrose, Marc Joseph Roch Douglas Orr, Marc-Andre Joseph Paradis, Marc Pelletier, Elaine Marie Madeleine Pfeiffer, Fabrice Robitaille, Alexis Sandra Hagens, Andrew James Hawksworth, Anthony Scott Jenkins, Michael Kedzior, Andrea Joanne Klassen, Logan Antonne LaBelle-Adams, Samuel LeClerc Poirier, David Joseph M Lalonde-Gauthier, Peter Runowski, Antonietta Sansalone, Mathieu Yves Joseph Simard, Galina Boyanova Sotirova, Peter Takacs, Karine Marie Thilbault, Logan Terry White, Jean-Frederick Durette, Dustin Denis Albert Deleavey, Julie Deleavey, Kirill Igorevitch Cherchnev, Kevin Chabot, Cassandra Marsolais, Patrick Noreau, James Allan Peters, Eric Robert AJ Richard, Karl M Rousseau, Maxime Joseph J Therrien Demers, Samuel Wallace, Ivan Sanson, Jermaine K Connell, Ryan Marc Visscher, Daniel Robert Vaughan, Stephane Vachon, Thomas Cavanaugh Murphy, Phillip Alexandre Flanagan, Sean Douglas Reginald Ward, Martin

Patrick Kelly, Yannick James Hart, Niels Josemarie Jeyasegara, Gabriel Rodriguez, Josee Marie SG Belleville, Cyrielle Isabeau Blazy, Rikki Carol Ann Bullied, Raphael Joseph PE Cote-Martin, Eric Francois J Gauthier, Reece Hunter, Donald Glenn Klassen, Maria Klimento, Joseph Theodore Kruis, Joan Margaret MacDonald, Terrilyn McLaren, Steven Alfred Jonathan Sutton, Benjamin Mark Christopher Sutton, Carole-Anne Marchand

PLAINTIFFS

- and –

His Majesty the King in Right of Canada, Chief of the Defence Staff General Wayne Eyre, Vice Chief of Defence Staff Lieutenant-General Frances J Allen, Lieutenant General Jocelyn J M J Paul, Vice Admiral Angus I Topshee, and Lieutenant General Eric J Kenny, Former Minister of National Defence, The Honourable Anita Anand, Former Deputy Minister of National Defence Jody Thomas, Surgeon General Major-General JGM Bilodeau, Chaplain General Brigadier-General JLG Belisle, and Judge Advocate General Rear-Admiral Genevieve Bernatchez

DEFENDANTS

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff.
The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a solicitor acting for you are required to prepare a statement of defence in Form 171B prescribed by the [Federal Courts Rules](#), serve it on the plaintiff's solicitor or, if the plaintiff does not have a solicitor, serve it on the plaintiff, and file it, with proof of service, at a local office of this Court

WITHIN 30 DAYS after the day on which this statement of claim is served on you, if you are served in Canada or the United States; or

WITHIN 60 DAYS after the day on which this statement of claim is served on you, if you are served outside Canada and the United States.

TEN ADDITIONAL DAYS are provided for the filing and service of the statement of defence if you or a solicitor acting for you serves and files a notice of intention to respond in Form 204.1 prescribed by the [Federal Courts Rules](#).

Copies of the [Federal Courts Rules](#), information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

DATE: September 12, 2023

Issued by: _____
(Registry Officer)

Address of local office:

Rice Howard Place
10060 Jasper Avenue
Tower 1, Suite 530
Edmonton, Alberta
T5J 3R8

TO:

HIS MAJESTY THE KING IN RIGHT OF CANADA
Department of Justice Canada

**Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Chief of Defence Staff, General Wayne Eyre
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Vice Chief of Defence Staff, Lieutenant General Frances J Allen
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Minister of Defence, The Honourable Anita Anand
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Former Deputy Minister of Defence, Jody Thomas
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Surgeon General, Major General JGM Bilodeau
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Chaplain-General, Brigadier General JLG Belisle
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Judge Advocate General, Rear Admiral G Bernatchez
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Commander Royal Canadian Navy, Vice Admiral Al Topshee
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

TO:

**Commander Canadian Special Operations Forces, Major General Steve Joseph
Boivin
Department of Justice Canada
Floor 1, 10423 101 Street NW
Edmonton, AB T5J 4Y8**

RELIEF SOUGHT

1. The Plaintiffs each claim:
 - a. a Declaration that the Defendants' acts and/or omissions caused the Plaintiffs harm and constitutes a breach of the public trust;
 - b. a Declaration that the Defendant, Chief of Defence Staff, General Wayne Eyre, issued an unlawful order on October 25, 2021, in violation of established law and constitutional rights;
 - c. a Declaration that the Defendants are liable to the Plaintiffs for the damages caused by their intentional commission of unlawful acts and/or omission of a lawful duty resulting in harm to the Plaintiffs and the People of Canada;
 - d. A Declaration prohibiting the Defendants from issuing subsequent orders or directives of a substantially similar or identical nature that prohibit or further restrict individuals who are not vaccinated against COVID-19 from serving in the Canadian Armed Forces;
 - e. a Declaration that the release item 5(f) for the Plaintiffs is unlawful and shall be changed to the voluntary release item 4(c) of *King's Regulations & Orders* Chapter 15.01;
 - f. a Declaration that *KR&O* 7.16, the Chief of Defence Staff as the Final Authority of the current grievance system for the Canadian Armed Forces, is of no force or effect;
 - g. general and aggravated damages arising from the Defendants' wrongful and/or negligent conduct resulting in harm to the Plaintiffs in the amount of \$1,000,000.00, per Plaintiff;

- h. damages against the Department of National Defence (DND) and the Canadian Armed Forces (CAF) in the amount of \$350,000.00 for the failure to follow the *National Defence Act* RSC 1985 c N-5 (“NDA”), the failure to abide by the administrative policies of the Canadian Armed Forces, and the failure to apply and follow procedures of the *KR&O*;
- i. Damages for inducing breach of the compact of members with His Majesty the King, interference with contractual relations with the King, and negligence;
- j. special damages in an amount to be determined, including but not limited to future and anticipated income loss, pension loss, medical expenses and out of pocket expenses;
- k. punitive and/or exemplary damages;
- l. Damages pursuant to the *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act 1982*, being Schedule B to the *Canada Act 1982* (U.K.) 1982 c 11 s 24(1) (“the *Charter*”);
- m. Punitive damages pursuant to the *Charter of Human Rights and Freedoms* CQLR cC-12 s 49 and the *Civil Code of Quebec* CQLR cC-1991 s 1621 (“the *Quebec Charter*”);
- n. A declaration that the Chief of Defence Staff’s conduct issuing Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs’ rights to freedom of conscience, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- o. A declaration that the Chaplain General’s conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs’ rights to freedom of conscience, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;

- p. A declaration that the Judge Advocate General's conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of conscience, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- q. A declaration that the Chief of Defence Staff's conduct issuing Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of religion and personal belief, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- r. A declaration that the Chaplain General's conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of religion and personal belief, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- s. A declaration that the Judge Advocate General's conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of religion and personal belief, contrary to s 2(a) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- t. A declaration that the Chief of Defence Staff's conduct issuing Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of association, contrary to s 2(d) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- u. A declaration that the Judge Advocate General's conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to freedom of association, contrary to s 2(d) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;
- v. A declaration that the Chief of Defence Staff, General Wayne Eyre's conduct in issuing Directive on Vaccination ("Directive(s)") 001, 002, 002

Amendment 1 and 003 violates the Plaintiffs' rights to life, liberty and security of the person and is not in accordance with the principles of fundamental justice, contrary to s 7 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;

- w. A declaration that the Surgeon General, Major General JGM Bilodeau's conduct in supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to life, liberty and security of the person and is not in accordance with the principles of fundamental justice, contrary to s 7 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;
- x. A declaration that the Judge Advocate General, Rear Admiral G Bernatchez's conduct in supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to life, liberty and security of the person and is not in accordance with the principles of fundamental justice, contrary to s 7 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;
- y. A declaration that the Chief of Defence Staff, General Wayne Eyre's conduct in issuing Directive on Vaccination ("Directive(s)") 001, 002, 002 Amendment 1 and 003 violates the Plaintiffs' right to privacy and is not in accordance with the principles of fundamental justice, contrary to s 8 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;
- z. A declaration that the Surgeon General, Major General JGM Bilodeau's conduct in supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' right to privacy and is not in accordance with the principles of fundamental justice, contrary to s 8 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;
- aa. A declaration that the Judge Advocate General, Rear Admiral G Bernatchez's conduct in supporting Directives 001, 002, 002 Amendment

and 003 violates the Plaintiffs' right to privacy and is not in accordance with the principles of fundamental justice, contrary to s 8 of the *Charter* and is not demonstrably justifiable under s 1 of the *Charter*;

bb. A declaration that the Chief of Defence Staff's conduct issuing Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to equality, contrary to s 15(1) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;

cc. A declaration that the Judge Advocate General's conduct supporting Directives 001, 002, 002 Amendment and 003 violates the Plaintiffs' rights to equality, contrary to s 15(1) of the *Charter*, and this violation is not demonstrably justifiable under s 1 of the *Charter*;

dd. prejudgment and post-judgment interest;

ee. the costs of the action, including GST and other taxes applicable, on a full indemnity basis; and

ff. such further and other relief as counsel may advise and as this Honourable Court may deem just.

NATURE OF THIS ACTION

2. The Defendant, Anita Anand, holds a public office as Minister of Defence since 26 October 2021.
3. The Defendant, Jody Thomas, held a public office as Deputy Minister of Defence from October 2017 to January 2022.
4. The Defendant, General Wayne Eyre, holds a public office as Acting Chief of Defence Staff as of 24 February 2021 and Chief of Defence Staff since 25 November 2021.
5. The Defendant, Major General JGM Bilodeau, holds a public office as Surgeon General since July 2020.

6. The Defendant, Brigadier General JLG Belisle, holds a public office as Chaplain General since 31 May 2021.
7. The Defendant, Vice Admiral G Bernatchez, holds a public office as Judge Advocate General since 27 June 2017.
8. The Defendant, Vice Admiral Al Topshee, held a public office as Commander of the Pacific Fleet in July 2018 the Commander of Maritime Forces from May 2021 and now holds a public office as Commander Royal Canadian Navy since May 2022.
9. During the Defendants' tenure in office, they engaged in malfeasance, which is defined as the intentional commission of an unlawful act or omission of a lawful duty.
10. This Canadian Armed Forces ("CAF") has abused its unique position in Canadian government for decades at the expense of the members of the CAF and the former members of the CAF (the "veterans"). This has emerged in previous cases before this Court concerning sexual misconduct and abuse, among other proven claims. In this case before the Court, the CAF's actions provide to the Court more evidence of further abuses of the power by the Chain of Command (the "CoC") by these, but not limited to, continuing actions:
 - a. ignoring express legislative limits on their actions;
 - b. accelerating and misapplying the administrative measures, specifically the remedial measures process;
 - c. claiming that the actions of the Chief of Defence Staff in military matters is beyond the jurisdiction of this Court;
 - d. ignoring the accommodation process;
 - e. allowing the physical and/or psychological torture of members under the command of CAF commissioned officers;
 - f. ignoring established law on the right to privacy;
 - g. ignoring established law on informed consent;
 - h. ignoring established law on the right to choose medical treatment;
 - i. ignoring established law regarding religious and spiritual belief;
 - j. deliberately misinterpreting the right to bodily autonomy;

- k. abandoning safety mechanisms for assessing drugs injected its members;
- l. ignoring express legislative limits on their actions including being barred from using military members as subjects for testing new medical treatments or drugs;
- m. deliberately failing to ensure that non-commissioned and commissioned officers were fully and correctly briefed on all legal and policy issues related to the above as well as the definition of a “lawful order” with the right of any member to question the same;
- n. coercion of members, their families and children for zero to very minor risk of danger to the CAF operational readiness or the general public;
- o. failing to provide a secure and confidential system for reporting and/or acting upon abuses and wrongdoings of the CoC; and
- p. deliberately misusing the grievance system to indefinitely delay or stop any relief sought by the members.

THE PARTIES

11. The Plaintiff, James Gordon Bruce, was a member of the CAF and held the rank of Warrant Officer. He was a Supply Technician posted at 5th Canadian Division Training Centre at Aldershot, Nova Scotia. He lives in North Bay, Ontario. He served honourably for over 20 years. He received no COVID-19 injections. Mr. Bruce was denied the option to medically release rather than retire even though the medical officer believed his service-related injuries qualified him for a 3(b) medical release with all the additional supports. He was forced to retire to avoid a 5(f) release. His CoC tried to retain him to subject him to the remedial measures leading to a 5(f). He was told he would forfeit his pension. The CoC only rescinded the threat when legal action would be forthcoming if he was denied his retirement.
12. The Plaintiff, Alexandre Sacha Tabarah, is a member of the CAF and holds the rank of Captain. He is a Logistics Officer at CFB Valcartier in Montreal, Quebec. He lives in Saint-Hubert, Quebec. He has served honourably for over 6 years. He

denied the ability to apply for an exemption to receiving the injections. He was told the only exemption was for medical reasons. Capt Tabarah had two injections with Moderna and has suffered health issues including an attempted suicide after the injections. He was punish posted to Wainright for challenging the Directives and the privacy breaches.

13. The Plaintiff, Tony Gregory Isaacs, was a member of the CAF and held the rank of Captain. Upon release he was at the Cadet Instructors Cadre at the Regional Cadet Support Unit at Shearwater, Nova Scotia. He was a highly decorated soldier with decades of specialized skills and service in over 15 countries. He lives in Prospect, Nova Scotia. He has served honourably in the CAF for over 38 years and 6 years with the British Army. He voiced objections about the Directives about receiving the injections. Mr. Isaacs did not accept the injections. He was subject to the remedial measures ("RM") outlined in the Directives. He was released under a 5(a) category of service completed despite being recommended for release under a category of 5(f)—unsuitable for further military service.
14. The Plaintiff, Bart Conrad Postma, was a member of the CAF and held the rank of Captain. He is a military pilot instructor and former member of the elite Snowbirds Squadron at CFB Moose Jaw in Moose Jaw, Saskatchewan. He lives in Goderich, Ontario. He served honourably for over 24 years. He applied for a religious exemption to wearing masks but was denied. He proposed an accommodation plan which placed absolutely no additional risk to himself or his fellow members yet it was still rejected by the Chain of Command ("CoC") as an undue hardship. Mr. Postma did not accept the injections. He released under duress with a 4(c) category to avoid release under a category of 5(f)—unsuitable for further military service and threats to his military pension. Mr Postma filed a grievance for discrimination but has had no response from a FA (Final Authority).
15. The Plaintiff, William Richard Garrow, is a member of the CAF and holds the rank of Corporal. He is an Infanteer with the 2nd Battalion Princess Patricia Canadian Light Infantry ("PPCLI") posted at CFB Shilo in Shilo, Manitoba. He lives in Qualicum Beach, British Columbia. He has served honourably for over 9 years.

He received one COVID-19 injection and suffered a severe adverse event but was denied a medical exemption for a second dose. He applied for a medical exemption due to known medical condition that could be affected by the Moderna injections but was denied. Corporal Garrow is in the process of a 3(b) medical release due to severe vaccine injury.

16. The Plaintiff, Tanner Lee Slater, is a member of the CAF and holds the rank of Corporal. He is a Vehicle Technician at the Transition Centre at CFB Edmonton. He lives in Sherwood Park, Alberta. He has served honourably for over 7 years. He applied for a medical exemption to receiving the injections because of a higher risk of adverse reaction due to a diagnosed medical condition but was denied. He took one injection of Janssen for COVID-19 under duress to save his career. He now suffers from life-threatening adverse effects from the injections and is in the process of a 3(b) medical release due to being disabled and impacted from the diagnosed severe vaccine injury.

17. The Plaintiff, Brian Scott Isted, is a member of the CAF and holds the rank of Captain. He was on training to be an Assault Officer with Canadian Special Operations Forces Command when his initial symptoms began. He is now posted to the Transition Centre in Toronto, Ontario. He lives in Etobicoke, Ontario. He served honourably for over 10 years. Capt Isted was told the injections for COVID-19 were mandatory for him to attend a career course. He received two injections of Moderna and suffered blood clots and back pain within weeks of the second dose. He is now diagnosed with a degenerative autoimmune disorder of the spine and continuous monitoring for blood clot complications which has ended his career. He is also being investigated for cardiac issues which began showing symptoms since the injections. He was not subject to the remedial measures ("RM") outlined in the Directives and threatened with a release under a category of 5(f)—unsuitable for further military service.

18. The Plaintiff, Collin Michael Lawson, is a member of the CAF and holds the rank of Corporal. He is an Aerospace Telecommunication and Information Systems Technician at 14 Operations Support Squadron at CFB Greenwood. He lives in

Greenwood, Nova Scotia. He has served honourably for almost 10 years. He applied for a religious exemption to receiving the injections but was denied. Cpl Lawson did not accept the injections. He was subject to the remedial measures ("RM") outlined in the Directives however he was not released despite being recommended for release under a category of 5(f)—unsuitable for further military service.

19. The Plaintiff, John Robert McNabb, is a member of the CAF and holds the rank of Major. He is an Infantry Officer at the 3rd Canadian Division Training Centre at CFB Wainwright. He lives in Spruce Grove, Alberta. He has served honourably for over 31 years. He has received some of the CAF's highest honours such as the Member of Military Merit and Meritorious Service Cross. He was told that applying for an exemption to receiving the injections would not be approved. Major McNabb received two doses of Pfizer injections. Had to apply at least twice afterwards to be rehired for his previous position that was sitting vacant even though he was now vaccinated. He was extremely fit prior to the injections but is now suffering from cardiac issues which require medical intervention for life.
20. The Plaintiff, Jeffery Robert A. Anderson, is a member of the CAF and holds the rank of Sergeant. He is an Intelligence Operator at the Joint Task Force X Canadian Forces Intelligence Command at CFB Kingston. He lives in Elgin, Ontario. He has served honourably for over 21 years. Due to the nature of his work, Sgt Anderson received two doses of Moderna in rapid succession outside Health Canada guidelines. He received a third dose less than 7 months later to qualify for deployment. Within days of the third dose, he had severe adverse events leading to a diagnosis of untreatable Rheumatoid Arthritis which will end his career. There were long delays to get him medications and treatments to ease his suffering. Due to this sudden onset of complications, his mental health has deteriorated to the point of being life-threatening. He continues to be in the CAF even though he is no longer able to perform his duties. He is being released as a result of his injuries.
21. The Plaintiff, Jonathan David Walsh, was a member of the CAF and held the rank of Corporal. He was an Infanteer with the Loyal Edmonton Regiment at

Edmonton, Alberta. He lives in Spruce Grove, Alberta. He has served honourably for over 5 years. He applied for a religious exemption to receiving the injections but was denied after numerous requests for a decision. He was given his memo back and told it was too late to submit another one. Mr Walsh did not accept the injections. When he was present, members were told those who did not take the injections would cause food shortages as well as these members should be shot and killed. He was subject to the remedial measures outlined in the Directives and he was released under a 4(c) category to avoid a release category of 5(f)—unsuitable for further military service.

22. The Plaintiff, Jean-Roch Chabot, is a member of the CAF and holds the rank of Master Corporal. He is an Imagery Technician for the Public Affairs Branch at CFB Greenwood. He lives in Greenwood, Nova Scotia. He has served honourably for over 14 years. MCpl Chabot had two Moderna injections. After the injections, he suffered from Bell's Palsy and other health conditions.. He has a grievance at the Final Authority regarding the Directives.
23. The Plaintiff, Benjamin Maxwell Grossmith, was a member of the CAF and held the rank of Corporal. He was a Medical Technician at 1 Field Ambulance at CFB Edmonton. He lives in Edmonton, Alberta. He served honourably for over 12 years. He applied for a religious exemption to receiving the injections but did not receive a decision before he was released. Mr. Grossmith did not accept the injections. He was subject to the remedial measures outlined in the Directives even though he had asked for a voluntary release prior to the Directives. The disciplinary process was altered, as well as orders and decisions were backdated to ensure there were administrative actions placed on his personnel file. He was released under a 4(c) voluntary release as he believed he could lose his pension. Mr. Grossmith personally witnessed when personnel were given access to over 1000 medical files to create vaccination cards for CAF members.
24. The Plaintiff, Benjamin James Cocker, is a member of the CAF and holds the rank of Corporal. He is an Armoured Soldier working in the ceremonial mounted troop with the Lord Strathcona Horse (Royal Canadians) at CFB Edmonton. He has taken part in such prestigious events as the funeral of Elizabeth II and the

coronation of Charles III among others. He lives in Edmonton, Alberta. He has served honourably for over 8 years. He did not apply for an exemption as others around him had applied and he perceived it to not be a legitimate option.

Corporal Cocker received two injections. He questioned the legality of the order under informed consent and was threatened with a dishonourable release, leave without pay and administrative measures. The harassment and pressure from the CoC and his peers were extreme. He was also told any adverse events would be covered by the CAF.

25. The Plaintiff, Matthew Nicholas Hutchinson, was a member of the CAF and held the rank of Corporal. He was an Infanteer at the Regional Cadet Support Unit at CFB Trenton in Trenton, Ontario. He lives in Trenton, Ontario. He served honourably for over 7 years. He did not apply for an exemption to receiving the injections as he did not see an option for objecting under safety concerns and was told the only exemptions allowed were religious exemptions. Cpl Hutchinson did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service. He had successfully completed one 3-year contract of Class B service and was under a second one when it was cut short after 1 year due the Directives. He was brought into a room by himself and told by a superior that even if he took the injections, he would still be under RM and released. His CO informed differently a few weeks later.

26. The Plaintiff, Stephen Francis King, is a member of the CAF and holds the rank of Sergeant. He is a Refrigeration Mechanical Technician at 14 Mission Support Squadron at CFB Greenwood. He lives in Auburn, Nova Scotia. He has served honourably for over 22 years. He could not apply for an exemption to receiving the injections because of the lack of information while he was deployed in Kuwait. He took two injections after months of harassment and threats of administrative measures while deployed to Kuwait and placed in nearly complete isolation. The medical officer admitted that he was coercing members to accept the injections and would do even more to force the medical treatment if he had the power to do so. Sgt King now suffers from nerve issues in his leg as well as

mental health issues from his treatment by the CoC. He is currently in the process of a 3(b) medical release.

27. The Plaintiff, Zachary Hamid Rambarransingh, was a member of the CAF and held the rank of Corporal. He was an Infantryman with The Royal Montreal Regiment at Westmount, Quebec. He lives in Lachine, Quebec. He has served honourably for over 5 years. He served in OPERATION LASER to assist long term care homes during COVID-19 staff shortages. He did not apply for an exemption to receiving the injections because his CoC told him they would not process or support the application. Mr Rambarransingh did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 4(c) to avoid a release category under 5(f)—unsuitable for further military service and save his pension. Mr Rambarransingh's best friend, and fellow Regiment member, whom he lived with, committed suicide on the day Mr Rambarransingh was released due to his distress at what had occurred within the Regiment.
28. The Plaintiff, Peter Hatvani, is a member of the CAF and holds the rank of Major. He is an Engineer Officer at the 5 Canadian Division Headquarters at CFB Halifax. He lives in Halifax, Nova Scotia. He has served honourably for over 20 years. He applied for a medical exemption to receiving the injections but was denied. He applied for a religious exemption to receiving the injections but was denied. Major Hatvani received two injections and told the person administering the injections that he was doing this under duress. He was already confirmed to have natural immunity from COVID-19 exposure. He has suffered numerous medical ailments since receiving his first injection. CAF medical staff refuse to associate the conditions with Moderna however the onset corresponds to the administration of these injections.
29. The Plaintiff, Holly Alexis, was a member of the CAF and held the rank of Corporal. She was a medical assistant at 33 Field Ambulance Halifax at CFB Halifax. She lives in Haliburton, Ontario. She served honourably for over 4 years. She applied for a religious exemption to receiving the injections but was denied. She was released before a medical exemption could be processed. Ms. Alexis

did not accept the injections. She was subject to the remedial measures outlined in the Directives and she was released under a category of 5(f)—unsuitable for further military service months after Directive 003 suspended RM and releases. Her request for a voluntary release was never completed by her CoC after several months.

30. The Plaintiff, William Joseph G. Caron, was a member of the CAF and held the rank of Corporal. He was an Avionics Technician at 402 Squadron at 17 Wing at CFB Winnipeg. He lives in Saint-Christophe-D'Arthabaska, Quebec. He served honourably for over 8 years. Mr. Caron did not accept the COVID-19 injections. The entire unit he served with knew he had chosen not to take the injections. He was subject to the remedial measures outlined in the Directives. He was released under a category of 5(f)—unsuitable for further military service.
31. The Plaintiff, Olivier Georges Thibault, was a member of the CAF and held the rank of Master Corporal. He was an Electronic-Optronics Technician at the Royal Canadian Engineers and Mechanical Engineers ("RCEME") School at CFB Borden. He lives in Head of Montague, Prince Edward Island. He has served honourably for over 17 years. He applied for a religious exemption to receiving the injections but was denied. He did not accept the injections. Mr. Thibault was ordered to attend a vaccination parade even before the Directives made it mandatory. Nasal swab testing was done at the workplace in front of other members despite the Directive stating it would be done privately at home. He was subject to the remedial measures outlined in the Directives. He was released under a category of 5(f)—unsuitable for further military service despite winning the RCEME School Soldier of the Year Award in 2020 which was awarded in 2021.
32. The Plaintiff, Vincent JY Demers, is a member of the CAF and holds the rank of Master Corporal. He is an Infantry Soldier at the Fusiliers de Sherbrooke in Sherbrooke, Quebec. He lives in Sherbrooke, Quebec. He has served honourably for over 10 years. He applied for a religious exemption to receiving the injections but was denied. M Demers did not accept the injections. He

voluntarily released to avoid a release under a category of 5(f)—unsuitable for further military service.

33. The Plaintiff, Andrew George Trafananko, was a member of the CAF and held the rank of Sergeant. He was an Infanteer at The Royal Westminster Regiment in New Westminster, British Columbia. He lives in Langley, British Columbia. He has served honourably for over 13 years. Mr. Trafananko received one dose of the Janssen injection. He was told on 25 November 2021 that no voluntary releases were being accepted after 15 November 2021. His CoC advised him not to release when he presented a release memo to them on 10 November 2021. He was subject to the remedial measures outlined in the Directives prior to his taking an injection under duress. He then released under a 4(c) voluntary release on 2 February 2022.
34. The Plaintiff, Brighton William Charles Towns, was a member of the CAF and held the rank of Seaman First Class. He was a Boatswain on the HMCS MONTREAL at CFB Halifax. He lives in St Albert, Alberta. He served honourably for over 5 years. He did not apply for an exemption to receiving the injections because others were being denied. Mr Towns did not accept the injections. He was subject to the remedial measures outlined in the Directives. He was released under a 4(c) category to avoid release under a category of 5(f)—unsuitable for further military service.
35. The Plaintiff, Matthew Allin Stevens, was a member of the CAF and held the rank of Corporal. He was a Combat Engineer at 2 Combat Engineer Regiment at CFB Petawawa. He lives in Caledon, Ontario. He served honourably for almost 7 years. His CoC did not notify him of the Directives until over one month after they were implemented by the CDS. After vaccination status was required under Directive 001, Mr. Stevens was able to access his entire Regiment's status, approximately 400 people, through Monitor Mass. He applied for a religious exemption to receiving the injections but was denied. He applied for a rapid testing accommodation and was denied yet he was still required to test and report for duty. Mr. Stevens did not accept the injections. He was subject to the remedial measures outlined in the Directives. He was released under a category

of 5(f)—unsuitable for further military service despite being recognized as one of the Regiment's top performers in the Spring of 2022.

36. The Plaintiff, Todd Simms, was a member of the CAF and held the rank of Major. He was a Pilot at 415 Squadron with 14 Wing at CFB Greenwood with over 7900 hours of flying time. He lives in South Greenwood, Nova Scotia. He served honourably for over 41 years. He applied for a religious exemption to receiving the injections but was denied. Mr. Simms did not accept the injections. During a vaccine parade, those choosing not to be injected were openly separated from the others and interviewed within hearing of other members. He was subject to the remedial measures outlined in the Directives. He released under a category of 4(a) to avoid release under a category of 5(f)—unsuitable for further military service.
37. The Plaintiff, JDJ Steve Richard, is a member of the CAF and holds the rank of Sergeant. He is an Armoured Crewman posted to Range Control at CFB Wainwright. He lives in Wainwright, Alberta. He has served honourably for over 34 years. He applied for a *CHRA* exemption to receiving the injections but was denied. Sgt Richard did not accept the injections. He was subject to the remedial measures outlined in the Directives however he was not released despite being recommended for release under a category of 5(f)—unsuitable for further military service. His CoC used threats, harassment and isolation techniques to get him to comply with the Directives.
38. The Plaintiff, Stephen James Robert Reid, was a member of the CAF and held the rank of Corporal. He was an Infanteer with the 3 Princess Patricia's Canadian Light Infantry at CFB Edmonton. He lives in Edmonton, Alberta. He has served honourably for over 7 years. He did not apply for an exemption to receiving the injections because his CoC told him it was unlikely to be approved. Mr. Reid did not accept the injections and was forced to refuse in front of the entire Battalion. He was subject to the remedial measures outlined in the Directives. He was removed from the Sniper OJT Program. He was released under a category of 5(f)—unsuitable for further military service.

39. The Plaintiff, Andrew Jonathan Pelkey, is a member of the CAF and holds the rank of Corporal. He is a Rifleman at the Argyll & Sutherland Highlanders of Canada (Princess Louise's) at the John Foote Armory. He lives in Hamilton, Ontario. He has served honourably for over 14 years. He applied for a *CHRA* exemption to receiving the injections but was denied. Cpl Pelkey did not accept the injections. He had natural immunity from confirmed COVID-19 infection. He was subject to the remedial measures outlined in the Directives. He was released under category 4(c) to avoid release under a category of 5(f)—unsuitable for further military service. He is still serving in the Supplemental Reserve.
40. The Plaintiff, Micah Nickolas Pearson, is a member of the CAF and holds the rank of Captain. He is a Pilot at the 2 Canadian Forces Flying Training School at CFB Moose Jaw. He lives in Moose Jaw, Saskatchewan. He has served honourably for over 6 years. He received a commendation for outstanding work in 2019. Capt Pearson applied for a medical exemption because of previous case of pericarditis and myocarditis; he was denied. He applied for a religious exemption to receiving the injections and after six months was approved. Capt Pearson did not accept the injections. He was subject to removal from his career course and denied his posting to a flying squadron, instead being posted to a desk position at Wing Headquarters.
41. The Plaintiff, Joseph Guy Normand Stephane Clouatre, was a member of the CAF and held the rank of Lieutenant Colonel. He was a highly decorated Armoured Officer at the 12 Régiment blindé du Canada in Trois Rivières, Quebec. He lives in Lac Beauport, Quebec. He served honourably for almost 35 years. He rejected the Directives which he considered illegitimate and was harassed because of his stance. M Clouatre was relieved of his command. He applied for a *CHRA* exemption to receiving the injections but was denied. M Clouatre did not accept the injections. He was subject to the remedial measures outlined in the Directives. He was released under a category of 5(f)—unsuitable for further military service.
42. The Plaintiff, Daniel Arthur Noonan, is a member of the CAF and holds the rank of Sergeant. He is a Musician at the Canadian Forces Recruiting Group

Headquarters at CFB Borden. He lives in Angus, Ontario. He has served honourably for over 21 years. He submitted a memo for an exemption to receiving the injections but was denied. Sgt Noonan asked to receive Johnson & Johnson or Astra Zeneca and was refused. He was then compelled to receive one dose of Moderna to keep his career. He was hospitalized from complications with the injection and then was allowed a medical exemption from further doses. When he told the medical technician that he was taking it under duress, they injected him anyway. He has suffered several life-changing medical issues since the injections.

43. The Plaintiff, Simon James Morrison, was a member of the CAF and held the rank of Private. He was an Infantryman at the Canadian Scottish Regiment in Nanaimo, British Columbia. He lives in Nanoose Bay, British Columbia. He served honourably for over 3 years. He applied for a religious exemption to receiving the injections but was denied. He was told by medical staff that a family history of cardiac issues was not a reason to not take the injections. Mr Morrison did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
44. The Plaintiff, John Menzies, was a member of the CAF and held the rank of Corporal. He was a Combat Engineer with his Combat Diver qualification at 2 Combat Engineer Regiment at CFB Petawawa. He lives in Petawawa, Ontario. He served honourably for over 6 years. He was not told about the Directive until 8 November 2021. He spoke to a Padre about an exemption to receiving the injections and was told not to bother applying as it would be rejected anyway. Cpl Menzies did not accept the injections. He was harassed by senior officers outside his CoC who all knew his vaccination status including being told he could be sent to jail, would never find work outside CAF and being removed from his post. He was subject to the remedial measures outlined in the Directives. He was not released despite being recommended for release under a category of 5(f)—unsuitable for further military service. When he asked to release voluntarily under a 4(c) release, his CoC set the date of his release one month past his start date

for civilian employment even when he met all the demands placed on him by the CoC and career manager to have the release date he required.

45. The Plaintiff, Alvin S Mailvaganam, is a member of the CAF and holds the rank of Warrant Officer. He is an Intelligence Operator at Canadian Joint Operations Centre in Ottawa, Ontario. He lives in Gatineau, Quebec. He has served honourably for over 23 years. He applied for a religious exemption to receiving the injections but was denied. He presented an accommodation plan that would allow him to continue to serve without the injections and this was denied. WO Mailvaganam received two Moderna injections. He has suffered adverse effects from the injections. He has not received a reply to his grievance from the Final Authority (CDS).
46. The Plaintiff, Robert William MacKay, was a member of the CAF and held the rank of Master Corporal. He was an Infanteer at 2 Princess Patricia's Canadian Light Infantry at CFB Shilo. He lives in Burton, New Brunswick. He served honourably for over 13 years. Mr. MacKay did not accept the injections. He was subject to the remedial measures outlined in the Directives and was scheduled for release under a category of 5(f)—unsuitable for further military service. During his outgoing medical, the doctor identified that he had serious spinal injuries from two accidents during his service that required major medical intervention to maintain his mobility. He was then released under a 3(b) medical release category ten days before his release date under the 5(f) category.
47. The Plaintiff, Nikita Alexander F. Kovaloff, is a member of the CAF and holds the rank of Lieutenant Commander. He is a Naval Warfare Officer posted to TRINITY at CFB Halifax as Fleet Oceanographer and Head of Department Meteorology and Oceanography for Maritime Forces Atlantic. He lives in Dartmouth, Nova Scotia. He has served honourably for over 20 years. He applied for an exemption to receiving the injections but was denied as his religious affiliation did not provide a letter stating they did not support vaccination. The recognized leader of his faith took no official position on receiving the injections. He had natural immunity from a confirmed infection from deployment to Ukraine in October 2020. Lt Cdr Kavoloff had confirmed heart damage after his first injection along

with other adverse events. He was denied a medical exemption for a second dose. He had additional medical issues following the second dose. He was unofficially reprimanded for engaging with his Member of Parliament regarding the Directive and was branded a threat. He continues to suffer from mental health issues related to the actions of the CoC following the Directives.

48. The Plaintiff, Kyle Murray Hawkins, was a member of the CAF and held the rank of Petty Officer First Class. He was a Boatswain at the Personnel Coordination Centre (Quebec) in Quebec City. He lives in Stoneham-et-Tewkesbury, Quebec. He served honourably for over 29 years. He has over 1100 days at sea and has been awarded the Silver Sea Service insignia for this accomplishment. He applied for a religious exemption to receiving the injections but was denied. Mr. Hawkins did not accept the injections. He was subject to the remedial measures (“RM”) outlined in the Directives however he was not released under a category of 5(f)—unsuitable for further military service. He was medically released under a 3(b) release category with only 30 days’ notice, no transition services and only two months before his 30 years of service anniversary date.
49. The Plaintiff, Timothy James Ford, was a member of the CAF and held the rank of Corporal. He was a Medical Technician and a Medical Instructor at 15th Field Ambulance in Calgary. He lives in Airdrie, Alberta. He served honourably for over 4 years. He spoke to a Padre who told him he would not receive an accommodation because he was of the Anglican faith. Mr. Ford did not accept the injections after witnessing many adverse reactions in his civilian work as a paramedic. He was subject to the remedial measures (“RM”) outlined in the Directives. He was initially told he could not voluntarily release but would have to be a 5(f) release category. He was then given 30 days to be eligible for the 4(c) release. He was released under 4(c) voluntary release category to avoid a release under a category of 5(f)—unsuitable for further military service.
50. The Plaintiff, Sebastien Cordeau, is a member of the CAF and holds the rank of Master Corporal. He is an Infanteer at the 1^{er} bataillon royal 22^e régiment at CFB Valcartier. He lives in Pont-Rouge, Quebec. He has served honourably for over 9 years. Prior to the Directives, MCpl Cordeau took two doses of Moderna

to keep his employment and still be eligible for a deployment to Ukraine which meant extra income his family needed. He was threatened with disciplinary measures months before the Directives. Once he was in Ukraine, immense pressure was put on him for a third dose, including threatening to repatriate him or make him an administrative burden which would end his career. He took the third dose while deployed and suffers some adverse effects awaiting specialist care.

51. The Plaintiff, Ashley Lynn Watson, was a member of the CAF and held the rank of Corporal. She was a Material Management Technician with 8 Wing posted to CFB Trenton. She lives in Trenton, Ontario. She served honourably for over 6 years. Cpl. Watson received three COVID-19 injections to keep her position plus deploy and has established natural immunity from infection. She was harassed to get a second dose while on sick leave. The CoC sent an email to everyone in the unit disclosing the vaccination status of every member in the unit. She applied for a religious accommodation and was denied. Ms. Watson has not received any final returns on her grievances.
52. The Plaintiff, JE Alex Audet, was a member of the CAF and held the rank of Corporal. He was an Infantryman at the 2 Royal 22 Regiment at CFB Valcartier. He lives in Frampton, Quebec. He served honourably for over 16 years. M Audet did not accept the injections. The CoC was inconsistent with his taskings with him being allowed to perform his same tasks one day and not the next. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
53. The Plaintiff, Stephen Paul Awalt, is a member of the CAF and holds the rank of Petty Officer Second Class. He is a Weapons Engineering Technician Fire Control at the Base Logistics at CFB Halifax. He lives in Lower Sackville, Nova Scotia. He has served honourably for over 18 years. He did not apply an exemption to receiving the injections because his CoC told him not to bother as he would be denied. PO2 Awalt had two Pfizer injections. He was subject to extra duties as well as very unpleasant duties others did not want to perform. He

was belittled by his peers as well as reprimanded for his choice in front of his peers. He suffers from medical issues, including cardiac events.

54. The Plaintiff, Laura Danielle Banks, was a member of the CAF and held the rank of Master Corporal. She was a Material Management Technician at the Director of Maritime Procurement Program at 445 De La Carriere Gatineau. She lives in Orillia, Ontario. She served honourably for over 13 years. She received the Commanding Officer Commendation for her work with Joint Task Force 2 ("JTF2")(Special Forces). She applied for a religious exemption to receiving the injections but was denied. Ms. Banks did not accept the injections. Her status was widely broadcast within the JTF2 and she asked to be posted out due to being undeployable in not receiving the vaccine. She was subject to the remedial measures outlined in the Directives before her release. Ms. Banks was also told she would be charged but this never happened. She was released under a 4(c) voluntary release to avoid a release under a category of 5(f)—unsuitable for further military service. This release process took place in approximately 2 ½ months.
55. The Plaintiff, Sabrina Baron, is a member of the CAF and holds the rank of Master Corporal. She is a Military Police Officer now posted at the Transition Centre at CFB Valcartier. She lives in Quebec City, Quebec. She has served honourably for over 7 years. She applied for a *CHRA* exemption to receiving the injections but was denied. She applied for a religious exemption to receiving the injections but never received a reply. MCpl Baron did not accept the injections. She was subject to the remedial measures outlined in the Directives however she is being released under a 3(b) medical release category despite being recommended for release under a category of 5(f)—unsuitable for further military service.
56. The Plaintiff, Andrew Douglas Radford, was a member of the CAF and held the rank of Corporal. He was an Information Technology Technician at the 1 Canadian Mechanized Brigade Group at CFB Edmonton. He lives in Calahoo, Alberta. He served honourably for over 7 years. He applied for a medical exemption to receiving the injections but was denied after initially being told it

was approved but he should book the injection anyway. He was told the medical exemption was not put forward because he booked the appointment. He was then told he was too late to file a request for a religious exemption. Mr. Radford did not accept the injections. He had confirmed natural immunity from a COVID-19 infection. He was denied medical care at the Base hospital for other medical concerns. He was subject to the remedial measures outlined in the Directives one hour after being told he ranked first in his trade in Canada and before his accommodation request had been determined. Mr. Radford released under a 4(c) voluntary release to avoid being recommended for release under a category of 5(f)—unsuitable for further military service.

57. The Plaintiff, Shane Samuel Bourgoïn, was a member of the CAF and held the rank of Private. He was an Infanteer at the 3 Royal Canadian Regiment at CFB Petawawa. He lives in Pembroke, Ontario. He served honourably for over 3 years. Mr. Bourgoïn did not accept the injections. He was part of the group that was placed in a tent in winter conditions and denied heat unless they were vaccinated. Demeaning and pointless tasks were also given to the group while the rest of the Company held celebrations indoors. He was subject to the remedial measures outlined in the Directives. He was released despite under a category of 5(f)—unsuitable for further military service.

58. The Plaintiff, Pierre-Olivier Bouthillette, was a member of the CAF and holds the rank of Sergeant. He was a Mobile Support Equipment Operator at the 34 Service Battalion in Saint-Hubert. He lives in Marieville, Quebec. He served honourably for over 13 years. He applied for a *CHRA* exemption to receiving the injections but was denied. M Bouthillette did not accept the injections. He was made to feel as if he was a traitor or terrorist by his fellow members. The coC set up checkpoints at the entrances of the unit to prevent unvaccinated members from entering the building. He was subject to the remedial measures outlined in the Directives however he released under a 4(c) voluntary release category to avoid a release under a category of 5(f)—unsuitable for further military service.

59. The Plaintiff, Sacha Francis Cabezas, is a member of the CAF and holds the rank of Sergeant. He is an Avionics Systems Technician at the 450 Tactical

Helicopter Squadron at CFB Petawawa. He lives in Petawawa, Ontario. He has served honourably for over 17 years. He applied for an exemption to receiving the injections but was denied. Sgt Cabeza received one injection of Moderna. He was told he would be put on Leave Without Pay unless he vaccinated. He suffers from medical issues that emerged after receiving Moderna.

60. The Plaintiff, Kelly Elizabeth Campbell, is a member of the CAF and holds the rank of Petty Officer Second Class. She is a Supply Technician with the Assistant Deputy Minister of Materiel at CFB Halifax/Dartmouth. She was with Canadian Special Operations Forces Command at the time the Directives were issued. She lives in Dartmouth, Nova Scotia. She has served honourably for over 17 years. She applied for a religious exemption to receiving the injections but was denied. She was told she would be subject to the remedial measures outlined in the Directives and put on Leave Without Pay until her release under disgrace. She was told she would lose her pension and benefits. For months following the Directives, she was forced to attend several meetings with superior officers all questioning her religious beliefs and her future health, including reproductive issues. PO2 Campbell received two Moderna injections. She has since suffered from significant health issues.

61. The Plaintiff, Aaron Jonathan Cain, is a member of the CAF and holds the rank of Corporal. He is a Water, Fuels, Environmental Technician at 86 Aviation Support Unit at CFB Trenton. He lives in Corbyville, Ontario. He has served honourably for over 5 years. He applied for a religious exemption to receiving the injections but was denied on the grounds he must belong to a church that would excommunicate him if he received the injections. Cpl Cain did not accept the injections. He was required to do nasal swab testing outdoors in the parking lot in extreme weather where he could be seen by his fellow members which led to harassment and intimidation. Cpl Cain has been diagnosed with Occupational Stress Injury because of the implementation of the Directives. He was subject to the remedial measures outlined in the Directives however he was not released despite being recommended for release under a category of 5(f)—unsuitable for further military service.

62. The Plaintiff, Joseph Hayden Convery, was a member of the CAF and held the rank of Major. He was a Logistics Officer at the Canadian Army Headquarters in Ottawa, Ontario. He lives in Nepean, Ontario. He served honourably for over 15 years. He applied for a medical exemption to receiving the injections due to family members having blood clots post-injection but was denied. Mr Convery did not accept the injections. He was subject to one of the remedial measures outlined in the Directives. He released under the 4(c) voluntary category to avoid release under a category of 5(f)—unsuitable for further military service. He was harassed about his vaccination status for the final four months of his career.
63. The Plaintiff, Dorian Francis Ellert, was a member of the CAF and held the rank of Master Corporal. He was an Air Weapons System Technician at the 8th Air Maintenance Squadron at CFB Trenton. He lives in Trenton, Ontario. He served honourably for over 15 years. He applied for a medical exemption to receiving the injections but the request disappeared with no response to him as accepted or denied. Mr. Ellert did not accept the injections. He was subject to the remedial measures (“RM”) outlined in the Directives. He was released under a 3(b) medical release.
64. The Plaintiff, Joseph Daniel Elliott, was a member of the CAF and held the rank of Warrant Officer. He is a Material Management Technician at the Canadian Forces National Counter Intelligence Unit at CFB Kingston. He lives in Edwards, Ontario. He has served honourably for over 20 years. He was not informed of the process to apply for an exemption to receiving the injections. Mr. Elliott did not accept the injections. He was ordered to participate in an injection parade that made it appear as if he had participated when he had refused the injection weeks before the Directives. He was allowed to release under a 4(a) category prior to the Directives to avoid release under a category of 5(f)—unsuitable for further military service.
65. The Plaintiff, Jonathan Andrew Cosman, was a member of the CAF and held the rank of Master Corporal. He was an Air Traffic Information Systems Technician at the OSS at CFB Greenwood. He lives in Hampton, New Brunswick. He served honourably for over 12 years. He applied for a religious exemption to receiving

the injections but was denied. Mr. Cosman did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.

66. The Plaintiff, Denise Ulrica Dickson, was a member of the CAF and held the rank of Lieutenant Commander. She was an Marine Systems Engineer at the FMF Cape Scott at CFB Halifax. She lives in Brampton, Ontario. She served honourably for over 16 years. She did not apply for an exemption due to lack of information of risk to members of her race and medical condition for receiving the injections. Ms. Dickson did not accept the injections. She was subject to the remedial measures outlined in the Directives after she requested release under 4(c) voluntary category to avoid release under a category of 5(f)—unsuitable for further military service. She submitted grievances and the Military Grievance External Review Committee has found she was aggrieved. There has been no contact from the Final Authority (the CDS).

67. The Plaintiff, Ben Amos Doucette, was a member of the CAF and held the rank of Sergeant. He was a Special Forces Assaulter with Joint Task Force 2 (“JTF2”) at Dwyer Hill, Ontario. He lives in Mill Cove, New Brunswick. He served honourably for over 26 years. He applied for an exemption to receiving the injections but was denied. Mr. Doucette did not accept the injections. He was subject to the remedial measures outlined in the Directives. He was released under a 3(b) medical release despite being recommended for release under a category of 5(f)—unsuitable for further military service. He was blocked from entering the workplace and interacting with his fellow members for almost two years before his release.

68. The Plaintiff, Ryan Lynton Fisher, was a member of the CAF and held the rank of Second Lieutenant. He was a Logistics Officer at the Base Administrative Battalion at CFB Esquimalt. He lives in Mississauga, Ontario. He served honourably for over 3 years. He did not apply for an exemption to receiving the injections because he was told it would be denied. Mr. Fisher did not accept the injections. The Chain of Command confined him to Barracks and cancelled his leave along with other punishments he was told would stop if he took the

injections. He was subject to the remedial measures outlined in the Directives he was released under a category of 5(f)—unsuitable for further military service.

69. The Plaintiff, Lyla Rose Gamble, is a member of the CAF and holds the rank of Warrant Officer. She is an Artillery Non-Commissioned Officer at the Conduct After Capture Training Centre at CFB Kingston. She lives in Joyceville, Ontario. She has served honourably for over 14 years. She was confirmed to have natural immunity from COVID-19 infection. WO Gamble did not accept the injections. She was not subject to the remedial measures outlined in the Directives due to being on maternity leave however she was warned she would be under RM after her return. This threat did not come to pass.
70. The Plaintiff, Jeremy Patrick Gearin, is a member of the CAF and holds the rank of Corporal. He is a Military Police Officer at the Military Police Squadron at CFB Edmonton. He lives in St Albert, Alberta. He has served honourably for over 16 years. He applied for a medical exemption to receiving the injections due to a family history of cardiac events but was denied. He offered an alternative option to his CoC for a non-MRNA injection but was denied access to it at his isolated posting. Cpl Gearin received one injection of Janssen while in Ontario with his wife for the delivery and specialized care of their first child. He was subject to the remedial measures outlined in the Directives however he was not released despite being recommended for release under a category of 5(f)—unsuitable for further military service. His request for Leave Without Pay to accompany his wife for specialized medical care during her pregnancy at a bigger centre than Goose Bay, Newfoundland at the time of her pregnancy was held by the Vice Chief of Defence Staff until he could prove he was vaccinated. He remains on leave for mental health injuries made worse by the actions of the CoC under the Directives.
71. The Plaintiff, Michel JFM Gagnon, was a member of the CAF and held the rank of Captain. He was an Aircraft Combat Systems Officer at the 435 Squadron at 17 Wing CFB Winnipeg. He lives in St Francois Xavier, Manitoba. He has served honourably for over 33 years. He applied for a medical exemption to receiving the injections because of a history of blood clots but was denied. Mr. Gagnon did

not accept the injections. He was subject to the remedial measures outlined in the Directives. He was released under a 4(c) voluntary release to avoid release under a category of 5(f)—unsuitable for further military service. He was denied a transfer to the Supplemental Reserve.

72. The Plaintiff, Michael John Hogan, was a member of the CAF and held the rank of Corporal. He was an Infantryman at the Seaforth Highlanders of Canada in Vancouver, British Columbia. He lives in Calgary, Alberta. He has served honourably for just under 4 years. He applied for a religious exemption to receiving the injections but after months of indecision by the CoC never received a reply. Mr. Hogan did not accept the injections. His integrity and loyalty was under constant bombardment by his Unit. He was subject to the remedial measures outlined in the Directives however he released under 4(c) voluntary release to avoid a release under a category of 5(f)—unsuitable for further military service.

73. The Plaintiff, Erin Anne Ellen Hawco, was a member of the CAF and held the rank of Lieutenant. She was a Naval Combat Systems Engineering Officer at the Canadian Joint Operations Centre in Ottawa, Ontario. She lives in Ottawa, Ontario. She served honourably for 25 years. She was deployed and on leave when the Directives were issued. She remained on medical leave until her release but was still harassed by the demand for COVID-19 injections. She asked to apply for an exemption to receiving the injections but was told she had missed the deadline despite not being informed of same. Ms. Hawco did not accept the injections. She was threatened with the remedial measures outlined in the Directives despite being on leave and in the process of a release. The threat of a release under a category of 5(f)—unsuitable for further military service was genuine.

74. The Plaintiff, Stephanie Gravel, was a member of the CAF and held the rank of Petty Officer First Class. She was a Cook at the Naval Reserve Headquarters in Quebec City, Quebec. She lives in Chicoutimi, Quebec. She served honourably for over 26 years. She applied for an exemption for her personal convictions to receiving the injections but was denied. PO1 Gravel did not accept the

injections. She was subject to the remedial measures outlined in the Directives however she was released under a 3(b) medical release category despite being recommended for release under a category of 5(f)—unsuitable for further military service.

75. The Plaintiff, Timothy RP MacDonald, is a member of the CAF and holds the rank of Sergeant. He is a Signals Technician at the 427 Special Operations Aviation Squadron at CFB Petawawa. He lives in Pembroke, Ontario. He has served honourably for over 24 years. After observing his service spouse apply for an exemption to receive the injections and subsequently was denied. Sgt MacDonald took three injections to save his career and also to maintain income and benefits. He became ill himself after the injections, including chest pain, though he was assured the injections were safe and effective.
76. The Plaintiff, William Thompson McClay, is a member of the CAF and holds the rank of Corporal. He is a Vehicle Technician at the 1st Battalion Princess Patricias Canadian Light Infantry at CFB Edmonton. He lives in Edmonton, Alberta. He has served honourably for over 8 years. He did not apply for an exemption to receiving the injections because he was told that it would be denied unless for an approved medical reason. Cpl McClay had three of the Moderna injections. He was threatened with a release under a category of 5(f)—unsuitable for further military service.
77. The Plaintiff, Cole Don McCoy, is a member of the CAF and holds the rank of Master Corporal. He is an Aviation Systems Technician at the 431 Squadron at CFB Moose Jaw. He lives in Moose Jaw, Saskatchewan. He has served honourably for over 24 years. He applied for a religious exemption to receiving the injections but was denied. He was told there was no religion that would qualify for an exemption. He was present when others made derogatory and demeaning remarks about other members whose status was widely discussed. MCpl McCoy eventually took two Pfizer injections with severe tinnitus experienced from it. He underwent daily harassment to accept the injections while remaining at his post as a highly skilled soldier. Exposed to the toxic environment during the enforcement of the Directives led to worsening of his

mental health. was subject to the remedial measures outlined in the Directives however he was not released.

78. The Plaintiff, Devon Edward Terry Malazdrewicz, is a member of the CAF and holds the rank of Sergeant. He is an Aircraft Structures Technician at the Aerospace Engineering Test Establishment for 4 Wing at CFB Cold Lake. He lives in Cold Lake, Alberta. He has served honourably for over 16 years. Sgt Malazdrewicz has had five Moderna injections. He was told to refuse the injections and boosters would result in charges and/or release. He continues to suffer with medical conditions that only appeared after the injections. The medical unit staff have refused a referral to a specialist citing it is illegal for medical staff for CAF medical staff to acknowledge possible harm from the injections. The CoC has used a request for the duty to accommodate following a sexual assault on Sgt Malazdrewicz to punish him and add to his deteriorating mental health.

79. The Plaintiff, Ryan Anthony Moerike, was a member of the CAF and held the rank of Corporal. He was an Aircraft Structure Technician at the 443 (Maritime Helicopter) Squadron at CFB Esquimalt. He lives in Regina, Saskatchewan. He served honourably for over 24 years. He did not apply for an exemption to receiving the injections because he was told if he was denied it was an automatic, irreversible 5(f) release. Mr. Moerike did not accept the injections. He had a history of adverse events to other viral inoculations. He was subject to the remedial measures outlined in the Directives. He was released under 4(c) voluntary release after increasing threats of disciplinary action, threats to suspend pay and other significant stressors at the same time as personal circumstances were an issue. His release was expedited and he was denied full assessment of his service related health that likely would have had him release under a 3(b) medical release category with its supports and benefits.

80. The Plaintiff, Benjamin Frederick Montrose, was a member of the CAF and held the rank of Corporal. He was a Medical Technician at the 1 Canadian Field Hospital in Ottawa. He lives in Toronto, Ontario. He served honourably for over 24 years. He applied for several exemptions to receiving the injections but all

were denied. Mr. Montrose did not accept the injections. He released under a 4(c) voluntary release category. He was threatened with a dishonourable release that would negatively impact his civilian career.

81. The Plaintiff, Marc Joseph Roch Douglas Orr, was a member of the CAF and held the rank of Corporal. He was an Aircraft Weapons System Technician at the 8 Air Maintenance Squadron at CFB Trenton. He lives in Shallow Lake, Ontario. He has served honourably for over 8 years. He applied for a religious exemption to receiving the injections but was denied. Mr. Orr did not accept the injections. He was subject to the remedial measures outlined in the Directives. He released under a 4(c) category because of objections to policy that violated *Charter* Rights and abuse of members under the Directives.
82. The Plaintiff, Marc-Andre Joseph Paradis, was a member of the CAF and held the rank of Master Corporal. He was an Infanteer with 3rd Battalion Princess Patricias Canadian Light Infantry at CFB Edmonton. He lives in Cold Lake, Alberta. He served honourably for over 9 years. Mr. Paradis had two injections after he was threatened with a release category of 5(f)—unsuitable for further military service which would impact his recruitment to the RCMP at the time. He was told no exemptions would be considered. He suffered from cardiac events post-injection.
83. The Plaintiff, Marc Pelletier, was a member of the CAF and held the rank of Corporal. He was an Operator with Special Forces at Canadian Special Operations Regiment at CFB Petawawa. He lives in St-Magloire, Quebec. He has served honourably for over 12 years. He applied for a religious exemption to receiving the injections but was denied. M Pelletier did not accept the injections. He was subject to the remedial measures outlined in the Directives and it was unclear whether he would be released under a 5(f) or 4(c) category while he was removed from his team and placed at a desk. He eventually released under category 4(c) voluntary release to avoid release under a category of 5(f)—unsuitable for further military service.
84. The Plaintiff, Eliane Marie Madeleine Pfeiffer, was a member of the CAF and held the rank of Master Corporal. She was a Mobile Support Equipment Operator

at the Canadian Forces Logistics Training Centre at CFB Borden. She lives in Petawawa, Ontario. She served honourably for over 13 years. She applied for an exemption to receiving the injections but was denied. Ms. Pfeiffer did not accept the injections. She was subject to the remedial measures outlined in the Directives. She was released under a 4(c) release category to avoid release under a category of 5(f)—unsuitable for further military service. She was forced out of the CAF while pregnant and on imposed restriction with her family four hours away from her location.

85. The Plaintiff, Fabrice Robitaille, was a member of the CAF and held the rank of Corporal. He was an Infantryman with the 3rd Battalion 22 Royal Regiment at CFB Valcartier. He lives in Eastman, Quebec. He served honourably for over 6 years. He applied for a religious exemption to receiving the injections but was denied. M Robitaille did not accept the injections. He was threatened with remedial measures outlined in the Directives however he was released under a 3(b) medical category despite being threatened with release under a category of 5(f)—unsuitable for further military service.

86. The Plaintiff, Alexis Sandra Hagens, was a member of the CAF and held the rank of Corporal. She was an Infanteer with the Royal Hamilton Light Infantry in Hamilton, Ontario. She lives in Woodstock, Ontario. She served honourably for over 9 years. She applied for a religious exemption to receiving the injections but was denied. Ms. Hagens did not accept the injections. She was subject to the remedial measures (“RM”) outlined in the Directives. She was released under a 4(c) voluntary release category to avoid release under a category of 5(f)—unsuitable for further military service.

87. The Plaintiff, Andrew James Hawksworth, is a member of the CAF and holds the rank of Corporal. He is an Infanteer at the 1 Royal Canadian Regiment at CFB Petawawa. He lives in Barrie, Ontario. He has served honourably for over 7 years. He did not apply for an exemption to receiving the injections due to seeing others being given difficult times for doing so. Cpl Hawksworth had three injections. He had a cardiac event after one injection. He was subject to daily questions about being vaccinated in front of others.

88. The Plaintiff, Anthony Scott Jenkins, was a member of the CAF and held the rank of Master Corporal. He was a Weapons Technician at the 14 Mission Support Squadron at CFB Greenwood. He lives in Kingston, Nova Scotia. He served honourably for over 23 years. He applied for a religious exemption to receiving the injections but was denied. Mr Jenkins did not accept the injections. He was accused of terrorism by his CoC for refusing a vaccination earlier in his career. His medical file was read and discussed by the CoC. He was subject to the remedial measures outlined in the Directives despite being blocked from access to the internal network to see the actual Directives; he was released under a category of 5(f)—unsuitable for further military service.
89. The Plaintiff, Michael Kedzior, was a member of the CAF and held the rank of Corporal. He was an Infantryman at the Royal Regiment of Canada at Fort York. He lives in Innisfil, Ontario. He has served honourably for over 18 years. Mr. Kedzior did not accept the injections. He was subject to the remedial measures outlined in the Directives and placed under a 5(f) release while on paternity leave. He was released under a 4(c) voluntary release category after he applied for redress from an improper release.
90. The Plaintiff, Andrea Joanne Klassen, was a member of the CAF and held the rank of Private. She was an Armoured Crewman at the Fort Garry Horse in Winnipeg. She lives in Arnes, Manitoba. She served honourably for over 8 years. Ms Klassen did not accept the injections. She was subject to the remedial measures outlined in the Directives. She was told she would be put on leave without pay. On Remembrance Day, she was made to do vaccine rehabilitation training. She was released under a 4(c) voluntary release category to avoid release under a category of 5(f)—unsuitable for further military service.
91. The Plaintiff, Logan Antonne LaBelle-Adams, was a member of the CAF and held the rank of Private (Basic). He was a Signals Operator at the Canadian Forces School of Communications and Electronics 2 Squadron at CFB Kingston. He lives in Regina, Saskatchewan. He has served honourably for over 1 year. He applied for a religious exemption to receiving the injections but was denied. Mr LaBelle-Adams did not accept the injections. He was subject to the remedial

measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.

92. The Plaintiff, Samuel Leclerc Poirier, is a member of the CAF and holds the rank of Corporal. He is a Vehicle Technician at the 3rd Battalion Royal 22nd Regiment at CFB Valcartier. He lives in Quebec City, Quebec. He has served honourably for over 6 years. Cpl Poirier received two Moderna injections to save his career.
93. The Plaintiff, David Joseph M Lalonde-Gauthier, is a member of the CAF and holds the rank of Corporal. He is an Aircraft Structure Technician at the 1 Air Maintenance Squadron at CFB Cold Lake. He lives in Cold Lake, Alberta. He has served honourably for over 8 years. He was told if he applied for a religious exemption to receiving the injections, he would be released in disgrace. He was told that if he contracted COVID-19 that he should stay home and die alone. Cpl Lalonde-Gauthier took one injection of Astra-Zeneca and one injection of Janssen. He suffers from cardiac issues as well as neurological issues. The rapid decline in his health has created mental health issues as he comes to terms with life-changing medical conditions.
94. The Plaintiff, Peter Runowski, was a member of the CAF and holds the rank of Petty Officer Second Class. He was a Material Management Technician with Canadian Fleet Pacific at CFB Esquimalt. He lives in Victoria, British Columbia. He has served honourably for over 15 years. He attempted to find assistance with an exemption but found no support. Mr Runowski did not accept the injections. He was subject to the remedial measures outlined in the Directives; he was released under a category of 5(f)—unsuitable for further military service.
95. The Plaintiff, Antonietta Sansalone, was a member of the CAF and held the rank of Sergeant. She was an Infanteer with the Argyll and Sutherland Highlanders of Canada in Hamilton, Ontario. She lives in Stoney Creek, Ontario. She served honourably for over 19 years. She applied for a medical exemption to receiving the injections but was denied. She offered to receive a non-mRNA injection and was denied. She was subject to several privacy breaches. Ms Sansalone received Novavax injections. She released under 4(c) voluntary category to avoid release under a category of 5(f)—unsuitable for further military service when

alternative timeline for non-mRNA was denied yet she was fully vaccinated when released. She returned to the CAF six months after Directive 003.

96. The Plaintiff, Mathieu Yves Joseph Simard, was a member of the CAF and held the rank of Master Corporal. He was a Vehicle Technician with the Lord Strathcona's Horse (Royal Canadians) at CFB Edmonton. He lives in Edmonton, Alberta. He has served honourably for over 17 years. He applied for an exemption to receiving the injections but was denied. Mr Simard did not accept the injections. He was subject to the remedial measures ("RM") outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
97. The Plaintiff, Galina Boyanova Sotirova, is a member of the CAF and holds the rank of Sailor First Class. She is a Human Resources Administrator with HMCS DONNACONA at Montreal, Quebec. She lives in Montreal, Quebec. She has served honourably for over 6 years. She was not given any information about applying for an exemption to receiving the injections. S1 Sotirova had one injection with serious cardiac side effects. She was ordered to take a second dose after a brief period of medical exemption. Her status as a single mother was used against her to have her comply with the Directives.
98. The Plaintiff, Peter Takacs, was a member of the CAF and held the rank of Corporal. He was a Combat Engineer with the 4 Engineer Support Regiment at CFB Gagetown. He lives in Kingston, New Brunswick. He served honourably for over 7 years. He applied for a religious exemption to receiving the injections but was denied as the CoC only recognized three religions and Buddhism was not one of those three. Mr. Takacs did not accept the injections. He was told his vaccination status was confidential but it was openly available to others. He was told he "contaminated by the virus and a threat to others" by his CoC. Mr. Takacs was told he could not win any grievance he might make regarding his treatment. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service. He was demoted to Private on the day of his release.

99. The Plaintiff, Karine Marie Thibault, is a member of the CAF and holds the rank of Major. She is an Armoured Officer with the C Programme at Canadian Forces Support Group Ottawa-Gatineau, Carling Campus in Ottawa. She lives in Maxville, Ontario. She has served honourably for over 25 years. She applied for an exemption under the *Canadian Human Rights Act* to receiving the injections but was denied. She requested to have an alternative to mRNA injections and was denied. Major Thibault was subject to the remedial measures outlined in the Directives until she received the Janssen injection to avoid being released under a category of 5(f)—unsuitable for further military service.
100. The Plaintiff, Logan Terry White, was a member of the CAF and held the rank of Master Corporal. He was an Avionics Systems Technician with the 406 Squadron at CFB Shearwater. He lives in Cow Bay, Nova Scotia. He has served honourably for over 17 years. Mr. White did not accept the injections. Nasal testing was done in a hallway where members were lined up and had no privacy. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
101. The Plaintiff, Jean-Frederick Durette, is a member of the CAF and holds the rank of Sergeant. He is an Equipment Management Technician with Les Fusiliers du St-Laurent at Rimouski, Quebec. He lives in Rimouski, Quebec. He has served honourably for over 23 years. Sgt Durette received two doses of Moderna injections to maintain his class B contract and to avoid the remedial measures outlined in the Directives and release under a category of 5(f)—unsuitable for further military service.
102. The Plaintiff, Dustin Denis Albert Deleavey, is a member of the CAF and holds the rank of Sergeant. He is an Operator with Special Forces at Dwyer Hill. He lives in Almonte, Ontario. He has served honourably for over 20 years. He applied for a religious exemption to receiving the injections but was denied without the application getting to the Chaplain for assessment. Sgt Deleavey received two injections of Pfizer with adverse cardiac, sleep and mental health events. He will be released under a 3(b) medical release for injuries from his service.

103. The Plaintiff, Julie Deleavey, was a member of the CAF and held the rank of Warrant Officer. She was a Human Resources Administrator with the Canadian Special Operations Forces Command before posting to CFB Gagetown. She lives in Rowena, New Brunswick. She has served honourably for over 18 years. Ms. Deleavey received two Pfizer injections to save her career. She will be released under a 3(b) medical category.
104. The Plaintiff, Kirill Igorevitch Cherchnev, is a member of the CAF and holds the rank of Master Corporal. He is a Special Forces Assaulter working as a sniper instructor with the Canadian Special Forces Command at Dwyer Hill Training Centre in Ottawa when the Directives were issued. He lives in Lefroy, Ontario. He has served honourably for over 22 years. He applied for a religious exemption to receiving the injections but was denied. MCpl Cherchnev did not accept the injections. He was subject to the remedial measures outlined in the Directives until his mental health deteriorated and he was placed on medical leave. He is awaiting evaluation for a 3(b) medical release for service-related injuries though he is threatened with release under a category of 5(f)—unsuitable for further military service if his medical leave ends before medical release.
105. The Plaintiff, Kevin Chabot, was a member of the CAF and held the rank of Corporal. He was an Aircraft Structures Technician with the 10 FTT Squadron at CFB Bagotville. He lives in Chicoutimi, Quebec. He served honourably for over 8 years. He applied for an exemption to receiving the injections but was denied. M Chabot did not accept the injections. After being forced to stay home in isolation, he struggled with his mental health. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
106. The Plaintiff, Cassandra Marsolais, was a member of the CAF and held the rank of Master Corporal. She was a Mobile Support Equipment Operator with the 34 Service Battalion at CFB St-Hubert. She lives in Marieville, Quebec. She served honourably for over 11 years. She applied for a medical exemption to receiving the injections but did not receive a reply as remedial measures were implemented before the response from Ottawa and while she was on maternity

leave. M Marsolais did not accept the injections. She was subject to the remedial measures outlined in the Directives and she was released under a category of 4(c) voluntary release under duress from her CoC the day she returned from maternity leave to avoid 5(f) release—unsuitable for further military service.

107. The Plaintiff, Patrick Noreau, was a member of the CAF and held the rank of Master Corporal. He was a Medical Technician with the Canadian Forces Health Services in Ottawa. He lives in Kanata, Ontario. He has served honourably for over 14 years. He applied for a religious exemption to receiving the injections but was denied. Mr Noreau did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 4(c) voluntary release to avoid 5(f) release—unsuitable for further military service.

108. The Plaintiff, James Allan Peters, is a member of the CAF and holds the rank of Sergeant. He was an Infantryman now with the Transition Centre at CFB Gagetown. He lives in Hanwell, New Brunswick. He has served honourably for over 18 years. He did not apply for an exemption to receiving the injections because he understood he would be released if he did so. Sgt Peters received two Moderna injections to keep his career. He is in the process of being released under an undetermined category.

109. The Plaintiff, Eric Robert AJ Richard, is a member of the CAF and holds the rank of Lieutenant Colonel. He is an Infanteer with the Cadets and Junior Canadian Rangers in the National Capital Region in Ottawa. He lives in Maxville, Ontario. He has served honourably for over 28 years. He applied for an accommodation under the *CHRA* to have non-mRNA injections but was denied. LCol Richard saw the Directives as violating CAF policies. He received Johnson & Johnson injection under duress. He was subject to the remedial measures (“RM”) outlined in the Directives before his injection.

110. The Plaintiff, Karl M Rousseau, is a member of the CAF and holds the rank of Corporal. He is an Avionics Systems Technician with the 12 Air Maintenance Squadron at CFB Halifax. He lives in Cow Bay, Nova Scotia. He has served honourably for over 14 years. He applied for a medical exemption to

receiving the injections after his father had severe complications from the injections but was denied. He applied for a medical exemption to receiving the injections after suffering anaphylactic shock after each injection and was denied each time. He applied for a religious exemption to receiving the injections but was denied. M Rousseau had a Johnson & Johnson injections and suffered from anaphylactic shock afterwards. He was subject to the remedial measures outlined in the Directives prior to the injection.

111. The Plaintiff, Maxime Joseph J Therrien Demers, was a member of the CAF and held the rank of Corporal. He was an Infantryman with the 2nd Battalion Royal 22nd Regiment at CFB Valcartier. He lives in Longueuil, Quebec. He served honourably for over 8 years. M Therrien Demers did not accept the injections. He was released under a category of 4(c) voluntary release to avoid the remedial measures outlined in the Directives and a release category of 5(f)—unsuitable for further military service.
112. The Plaintiff, Samuel Wallace, is a member of the CAF and holds the rank of Corporal. He is a Refrigeration and Mechanical Systems Technician with the Real Property Operations Support (Halifax) at CFB Halifax. He lives in Rines Creek, Nova Scotia. He has served honourably for over 6 years. He applied for a religious exemption to receiving the injections but was denied as the CO relied on his own research rather than the religious beliefs of the member. He received the exemption memo of another member as well as his own in an email. Cpl Wallace had two injections, one of Moderna and one of Pfizer, to avoid the remedial measures outlined in the Directives and release under a category of 5(f)—unsuitable for further military service. He is experiencing neurological symptoms.
113. The Plaintiff, Ivan Sanson, is a member of the CAF and holds the rank of Warrant Officer. He is an Infantry Sniper with the 2nd Battalion Royal Canadian Regiment at CFB Gagetown. He lives in Oromocto, New Brunswick. He has served honourably for over 20 years. WO Sanson had two Moderna injections and now has pulmonary issues. He was subject to the remedial measures outlined in the Directives and he was threatened with a release under a category

of 5(f)—unsuitable for further military service. He is awaiting a 3(b) medical release for service-related injuries.

114. The Plaintiff, Jermaine K Connell, is a member of the CAF and holds the rank of Master Corporal. He is a Signal Operator with the 39 Signal Regiment at Vancouver, British Columbia. He lives in Vancouver, British Columbia. He has served honourably for over 10 years. He was posted from Edmonton to Vancouver when he refused the injections. He applied for a religious exemption to receiving the injections but was denied. He witnessed several adverse events after members received the injections. MCpl Connell received two injections when threatened with the remedial measures outlined in the Directives and release under a category of 5(f)—unsuitable for further military service. He suffers from significant poor health and his career has stalled.
115. The Plaintiff, Ryan Marc Visscher, is a member of the CAF and holds the rank of Private. He is a Combat Engineer with the 41 Combat Engineer Regiment at CFB Edmonton. He lives in Morinville, Alberta. He has served honourably for over 5 years. He applied for an exemption to receiving the injections but was denied. Pvt Visscher received one Pfizer and one Moderna injection with multiple illnesses since. He took the injections upon threat of the remedial measures outlined in the Directives and possible release under a category of 5(f)—unsuitable for further military service.
116. The Plaintiff, Daniel Robert Vaughan, was a member of the CAF and held the rank of Sailor First Class. He was a Steward with the CFB Borden Accommodations at CFB Borden. He lives in Lloydminster, Alberta. He has served honourably for over 15 years. He applied for a religious exemption to receiving the injections but was denied. Mr Vaughan did not accept the injections. He was subject to the remedial measures outlined in the Directives prior to the decision on his exemption application and he was released under a category of 5(f)—unsuitable for further military service while an assessment for a 3(b) release was being done.
117. The Plaintiff, Stephane Vachon, was a member of the CAF and held the rank of Corporal. He was an Infantryman with the 2nd Battalion Royal 22nd

Regiment at CFB Valcartier. He lives in Shannon, Quebec. He has served honourably for over 26 years. M Vachon did not accept the injections. He was not subject to the remedial measures outlined in the Directives and he was released under a category of 4(a) completion of terms of service before he could be released under category 5(f)—unsuitable for further military service.

118. The Plaintiff, Thomas Cavanaugh Murphy, was a member of the CAF and held the rank of Corporal. He was an Armoured Crewman with the Royal Canadian Dragoons at CFB Petawawa. He lives in Killaloe, Ontario. He has served honourably for over 5 years. He was present when the Base Surgeon admitted he had investments with Pfizer before offering a briefing on mRNA injections. Mr. Murphy did not accept the injections. He released under category 4(c) to avoid the implications of the Directives, including release under a category of 5(f)—unsuitable for further military service.

119. The Plaintiff, Phillip Alexandre Flanagan, is a member of the CAF and holds the rank of Corporal. He is an Infanteer with the 4th Battalion Royal 22nd Regiment at Laval, Quebec. He lives in Montreal, Quebec. He has served honourably for over 13 years. He served on OP LASER to provide support for civilian institutions during COVID-19 shortages. He was not informed that he could apply for an exemption to receiving the injections. Cpl Flanagan had three Pfizer injections. He now has life changing cardiac complications from these doses. He was threatened with the remedial measures outlined in the Directives and loss of deployments.

120. The Plaintiff, Sean Douglas Reginald Ward, was a member of the CAF and held the rank of Corporal. He was an Infanteer with the 3rd Battalion Princess Patricia's Canadian Light Infantry at CFB Edmonton. He lives in Edmonton, Alberta. He has served honourably for almost 5 years. He was told no exemption to receiving the injections would be made. Mr Ward did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.

121. The Plaintiff, Martin Patrick Kelly, was a member of the CAF and held the rank of Master Corporal. He was an Armoured Crewman with the Lord

Strathcona's Horse (Royal Canadians) at CFB Edmonton. He lives in Fort Saskatchewan, Alberta. He has served honourably for over 8 years. He applied for an exemption to receiving the injections but was denied. Mr. Kelly did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was threatened with release under a category of 5(f)—unsuitable for further military service. He was allowed to release under a 30 day voluntary release category of 4(c).

122. The Plaintiff, Yannick James Hart, was a member of the CAF and held the rank of Major. He was an Infantry Officer with the 1st Battalion Royal Canadian Regiment at CFB Petawawa and a candidate on the Joint Command and Staff Program (JCSP) upon release of the CDS Directive on CAF COVID-19 Vaccination. He lives in Petawawa, Ontario. He served honourably for over 13 years. As a deployed Company Commander in the Winter/Spring of 2021, he witnessed medical counter-measures that were imposed upon him and his personnel that were arbitrary and/or contrary to the scientific consensus of the day. Later, as a candidate on JCSP consisting of both remote and in-person learning, he was isolated from his peers and denied participation to in-person learning sessions as a result of his vaccination status. He applied for a *CHRA* exemption to receiving the injections but was denied. Mr Hart did not accept the injections. He was subject to the remedial measures outlined in the Directives and he was released under a category of 4(c) voluntary release to avoid release under 5(f)—unsuitable for further military service.

123. The Plaintiff, Niels Josemarie Jeyasegara, was a member of the CAF and held the rank of Captain. He was a Military Pilot by trade and a Staff Officer with the 17 Operations Squadron at 17 Wing at CFB Winnipeg. He lives in Winnipeg, Manitoba. He served honourably for over 13 years. He did not apply for an exemption to receiving the injections because he believed this could impact his medical release. Mr. Jayasegara did not accept the injections. He was subject to the remedial measures outlined in the Directives and he had to expedite his 3(b) medical release to avoid release under a category of 5(f)—unsuitable for further

military service. This expedited release impacted the usual supports from the CAF for this category of release.

124. The Plaintiff, Gabriel Rodriguez, was a member of the CAF and held the rank of Aviator (Trained). He was an Aerospace Telecommunication and Information Systems Technician with the 8 Air Communications and Control Squadron at CFB Trenton. He lives in Barony, New Brunswick. He served honourably for over 3 years. Mr Rodriguez did not accept the injections. He was accused of negative behaviour and threatened with charges after a conversation with his CO about the Directives. He was subject to the remedial measures outlined in the Directives and he was released under a category of 4(c) to avoid a release under category 5(f)—unsuitable for further military service. He was subjected to an administrative review board while trying to release.
125. The Plaintiff, Josee Marie SG Belleville, was a member of the CAF and held the rank of Master Corporal. She was an Aerospace Control Operator with the 21 Squadron at North Bay, Ontario. She lives in Chicoutimi, Quebec. She served honourably for over 13 years. She applied for a religious exemption to receiving the injections but was denied. She was denied the Johnson & Johnson injection as an alternative to mRNA injections. M Belleville did not accept the injections. She was subject to the remedial measures outlined in the Directives and she was released under a category of 5(f)—unsuitable for further military service.
126. The Plaintiff, Cyrielle Isabeau Blazy, is a member of the CAF and holds the rank of Master Corporal. She is a Financial Services Administrator with the 8 wing DW Command at CFB Trenton. She lives in Trenton, Ontario. She has served honourably for over 9 years. MCpl Blazy had two injections but was not told the risks for pregnant women and their babies prior to injection. Her medical records were available for non-essential personnel to view them.
127. The Plaintiff, Rikki Carol Ann Bullied, was a member of the CAF and held the rank of Private. She was a Medical Technician with the Canadian Forces Health Services Training Centre 6602 at CFB Borden. She lives in Petawawa, Ontario. She served honourably for over 3 years. She applied for a religious

exemption to receiving the injections while pregnant and not yet on maternity leave but was denied. She applied for a *CHRA* exemption to receiving the injections but was denied. Ms Bullied did not accept the injections. She was subject to the remedial measures outlined in the Directives. She was pressured to sign a document that she would receive injections upon her return from maternity leave or she would be released under a category of 5(f)—unsuitable for further military service before the maternity leave. Upon her return from maternity leave, she released under a 4(c) voluntary release.

128. The Plaintiff, Raphael Joseph PE Cote-Martin, is a member of the CAF and holds the rank of Corporal. He is an Infantryman with the Land Force Quebec Area Training Centre at CFB Valcartier. He lives in Ste-Catherine-de-la-Jacques-Cartier, Quebec. He has served honourably for over 19 years. He was told all applications for an exemption to receiving the injections would be denied. Cpl Cpl Cote-Martin received the injections to save his career.
129. The Plaintiff, Eric Francois J Gauthier, was a member of the CAF and held the rank of Corporal. He was an Infanteer with the 3rd Battalion Royal 22nd Regiment at CFB Valcartier. He lives in Ste-Catherine-de-la-Jacques-Cartier. He served honourably for over 34 years. He applied for an exemption to receiving the injections but was denied. M Gauthier did not accept the injections. He was subject to the remedial measures (“RM”) outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
130. The Plaintiff, Reece Hunter, was a member of the CAF and held the rank of Corporal. He was a Combat Engineer with the 1st Combat Engineer Regiment at CFB Edmonton. He lives in Edmonton, Alberta. He has served honourably for over 7 years. He applied for a religious exemption to receiving the injections but was denied. He applied for a medical exemption to receiving the injections but was denied. Mr Hunter did not accept the injections. He was subject to the remedial measures (“RM”) outlined in the Directives and he was released under a category of 5(f)—unsuitable for further military service.
131. The Plaintiff, Donald Glenn Klassen, is a member of the CAF and holds the rank of Master Sailor. He is a Weapons Engineering Technician with the

Multi-Link Support Cell (West) at CFB Naden-Esquimalt. He lives in Victoria, British Columbia. He has served honourably for over 14 years. He voiced his concerns several times over medical privacy. He was threatened with leave without pay and or compulsory release. MS Klassen received one injection of Astra Zeneca and one dose of Johnson & Johnson. He was subject to the remedial measures outlined in the Directives between doses. He will be released under a 3(b) medical category at some point in the future but has received an extension of his service.

132. The Plaintiff, Maria Klimento, is a member of the CAF and holds the rank of Captain. She is a Dental Officer with the 1 Dental Unit in Ottawa. She lives in Ottawa, Ontario. She has served honourably for almost 8 years. She applied for a medical exemption to receiving the injections thrice but was denied. She applied for a religious exemption to receiving the injections but was denied. She had confirmed antibodies to COVID-19 from infection. She was told her vaccination status was confidential but it was available to others. Capt Climento did not accept the injections. She made it clear that informed consent had not been met for COVID-19 injections. She was subject to the remedial measures outlined in the Directives however she was not released under a category of 5(f)—unsuitable for further military service. She has been treated adversely with her retention.

133. The Plaintiff, Joseph Theodore Kruis, is a member of the CAF and holds the rank of Sergeant. He is a Vehicle Technician with the 31 Service Battalion at Hamilton, Ontario. He lives in Brantford, Ontario. He has served honourably for over 21 years. He applied for a religious exemption to receiving the injections but was denied. He was denied the short-term accommodation to have a non-mRNA injection. Sgt Kruis did receive Novavax injection. He was subject to the remedial measures outlined in the Directives however and he was not released under a category of 5(f)—unsuitable for further military service. He missed several opportunities with his Unit for training and contact with fellow CAF members.

134. The Plaintiff, Joan Margaret MacDonald, was a member of the CAF and held the rank of Sergeant. She was a Human Resources Administrator with the

Canadian Forces School of Military Engineering at CFB Gagetown. She lives in Richibucto Road, New Brunswick. She has served honourably for over 18 years. She applied for a religious exemption to receiving the injections but was denied. She applied for a *CHRA* exemption to receiving the injections but did not receive a response. Ms MacDonald received two Moderna injections with gynaecological issues after the first dose. She was subject to the remedial measures outlined in the Directives and she was released under a 3(b) medical category.

135. The Plaintiff, Terrilyn McLaren, is a member of the CAF and holds the rank of Captain. She is a Public Affairs Officer with the 6 Canadian Combat Support Brigade at CFB Kingston. She lives in Kingston, Ontario. She has served honourably for over 15 years. She was forced to get 2 doses of the Moderna vaccine in order to maintain employment and be deployed. There were no options available for exemption for people of faith without a specific denomination. Capt McLaren received the injections and suffered a spontaneous arterial dissection and blood clot followed by an ischemic stroke while on deployment overseas. She lost the ability to walk for 6 months and continues to suffer deafness in her left ear and numbness on the left side of her face, both of which she is unlikely to recover from. Her injuries have effectively ended her military career.

136. The Plaintiff, Stephen Alfred Jonathan Sutton, was a member of the CAF and held the rank of Sergeant. He was an Infantryman with the Cameron Highlanders at Ottawa. He lives in Jasper, Ontario. He has served honourably for over 10 years. He applied for a religious exemption to receiving the injections but was denied. His grievance is now with the Final Authority. Mr Sutton did not accept the injections. He was released under a category of 4(c) to avoid to the remedial measures outlined in the Directives and release under category 5(f)—unsuitable for further military service.

137. The Plaintiff, Benjamin Mark Christopher Sutton, was a member of the CAF and held the rank of Sergeant. He was an Infantryman with the Cameron Highlanders at Ottawa. He lives in Jasper, Ontario. He has served honourably for over 10 years. He applied for a religious exemption to receiving the injections but

was denied. His grievance is now with the Final Authority. Mr. Sutton did not accept the injections. When he sought medical care, he was told the injections would solve his issues. He was released under a category of 4(c) to avoid the remedial measures outlined in the Directives and release under category 5(f)—unsuitable for further military service.

138. The Plaintiff, Carole-Anne Marchand, is a member of the CAF and holds the rank of Sailor First Class. She is a Marine Technician with the HMCS RADISSON at Trois-Rivieres. She lives in Trois-Rivieres, Quebec. She has served honourably for over 10 years. She did not apply for an exemption to receiving the injections as she received no information on this option. S1 Marchand had one Pfizer injection. She was subject to the remedial measures (“RM”) outlined in the Directives however she was not released under a category of 5(f)—unsuitable for further military service as her CoC did not complete the process before Directive 003 was implemented.

139. The Defendant, Department of National Defence (DND) is established by the *NDA* and is presided over by the Minister of National Defence. The Honourable Anita Anand is sued in her official capacity as Minister of National Defence.

140. The Defendant, Jody Thomas is sued in her official capacity as the Deputy Minister of National Defence.

141. The Defendant, CAF is an agency within the Government of Canada. It is primarily an agency for the protection of Canada and its citizens by military means.

142. The Defendant, General Wayne Eyre is sued in his official capacity as the Chief of Defence Staff.

143. The Defendant, Lieutenant General Frances Allen Eyre is sued in her official capacity as the Vice Chief of Defence Staff.

144. The Defendant, Lieutenant General Jocelyn J M J Paul is sued in his official capacity as the Commander of the Canadian Army.

145. The Defendant, Vice Admiral Angus I. Topshee is sued in his official capacity as the Commander of the Royal Canadian Navy.
146. The Defendant, Lieutenant General Eric J Kenny is sued in his official capacity as Commander of the Royal Canadian Air Force.
147. The Defendant, Major General JGM Bilodeau is sued in his official capacity as the Surgeon General of the CAF.
148. The Defendant, Brigadier General JLG Belisle is sued in his official capacity as the Chaplain General of the CAF.
149. The Defendant, Rear Admiral Genevieve Bernatchez is sued in her official capacity as the Judge Advocate General of the CAF.
150. The Defendant, Major General Steve Joseph Boivin is sued in his official capacity as the Commander Canadian Special Operations Forces.

STATEMENT OF FACTS

151. The CAF is an agency founded on the defence of the interests and values of Canada and its Allies, freedom being one of those values, as well as domestic operations in times of emergency. It was not founded as a supervisory and experimental medical or scientific agency. The core of the CAF's work is to be able to plan and execute warfare in the interests and security of Canada. All Plaintiffs were required to be Canadian citizens at the time of their enrollment into the CAF and they surrendered none of their rights when they swore the Oath of Service.
152. The CAF is meant to cultivate excellence of the men and women who have volunteered to serve as its soldiers, sailors, and aircrew and facilitate their efforts to productive ends that foster the defence of the nation. Yet, in effect, the CAF does none of that. Instead, it operates with a focus on political agendas and taking direction from political leaders that is detrimental to operational readiness and effectiveness.
153. In this case, the CAF shirked its own purpose and rushed an untested product onto its members, mislabeled this experimental gene therapy a "vaccine", knowingly made false statements of safety and efficacy, and facilitated its mandate with no option to refuse except for mandatory permanent removal from service. The Plaintiffs were given no way to meet the mandate as the Directives were written specifically to block any possible means of complying with them.
154. Under the pretext of powers granted to the Chief of Defence Staff ("CDS"), more than two years into the "emergency" of COVID-19, he mandated that biologics were to be given to every single member of the CAF regardless of religion or spiritual belief, medical conditions precluding the treatment or the right to refuse injection of an unproven treatment into their body. All these measures to address COVID-19, a disease which poses a lower risk to healthy young adults and children than the ordinary flu. Indeed, not one member of the CAF has been identified as dying from COVID-19 infection.

155. The CDS stated in communications within the CAF that he was ordered from above him by the “GC” or Government of Canada to bring in and enforce a vaccination mandate for members of the CAF. The goal being to show leadership to the Canadian people and achieve a 100% vaccination rate for members of the CAF. The CDS can only receive lawful orders from the Commander-in-Chief of the CAF which is the Monarch of Canada (Queen Elizabeth II at the time and now King Charles III) or from the Governor General standing in place of the Monarch. There is no indication that the CDS received this order from the Monarch which makes the order to receive any COVID-19 biologic an unlawful order.
156. The CAF defined Moderna and Pfizer-BioTech’s MRNA COVID-19 biologics as “vaccines” even though they do not meet the century long definition of the term. The CAF failed to provide adequate notice or comment period or redress of concerns or grievances for the imposition of mandatory injection of the biologics.
157. The CDS had the authority under s 126 of the *NDA* to order vaccination of the members under his command. He did not do so in this case. Instead, in an unprecedented action, he used administrative measures to punish those who could not or would not follow his instructions. Section 126 of the *NDA* requires a member refusing vaccination to be charged with a service offence and face a court martial. If it is found by an independent decision-maker there is a reasonable excuse not to have the vaccination, the member is acquitted. A reasonable excuse can include, for example, sincere religious belief. The Plaintiffs were denied the ability to have their cases heard in an independent forum.
158. The CDS also had full control over any grievances brought by members against his decisions as under *KR&O* 7.13(c), the Initiating Authority (“IA”) for these grievances would be the CDS himself. The CDS then gets to determine as IA as well as the Final Authority (FA”) for any of his decisions, acts or omissions thereby denying fundamental justice to the members.

159. Both the assignment for an IA and the FA are not under any timelines to provide a decision and can delay indefinitely any outcome from the grievance process.
160. It has been established by the grievance authorities, in writing, that the grievance system cannot accept any further grievances at the time of filing this claim. Members are therefore denied any ability to seek redress through the grievance system currently in place.
161. The CDS claimed unlimited powers without legislative approval, and even claimed these powers prevent and preclude judicial review. The CAF has become the agency that declares and adjudicates its own law, with military members and their children vulnerable to this power grab.
162. A series of internal investigations by the CAF concluded that military commanders violated federal rules and acted without authority when they ordered intelligence teams to collect information on the public as well as use propaganda techniques against Canadians and their own members.
163. The CAF's unchecked and unbridled reign over its members' bodily autonomy with the COVID-19 Directives is the foundation for all policies and mandates imposed on CAF members' bodily autonomy today and into the future.
164. Members face loss of career, loss of employment opportunities outside the CAF, loss of income, loss of retirement pension, loss of benefits, travel, and even basic participation in work or public life. Members who do have any safeguards against these harmful injections are subjected to the CAF's false attestations of safety and effectiveness; as a result, these members, under pressure from their CoC, may "opt" to take this dangerous biologic.
165. COs acted aggressively to coerce members to accept the biologics through acts that, in some cases, were criminal in nature such as forcing members to spend unnecessary extended periods of time outside in extreme winter conditions with no shelter or protections as well as forcibly confining members to small, cramped spaces with no respite for meals or personal hygiene needs.

166. Mandates are being suspended or permanently lifted in Canada and around the world, yet the CAF has refused to suspend or lift its own mandate for its members and, indeed, “doubling down” by making a booster mandatory for participation in such things as deployment or training.
167. The CAF promised its members honesty and full disclosure of any risk members take in the course of their service to Canada. COVID-19 biologics treatment was promised with fair and balanced coverage of safety and efficacy limitations, as well as full informed consent before injection. The CAF broke that promise in this case, a lie that has cost substantial diversion of resources and continuous risk for members in not being able to trust the information and orders given by the CDS and the CoC.
168. We faced an unparalleled moment in CAF and public health history: the race to administer a medical treatment to our Armed Forces without adequate clinical trials, without consideration of relevant information, without robust debate, and without meaningful participation in the administration of the biologics from the members themselves. The CDS and CAF’s extraordinary emergency Directives for all members of the CAF, including pregnant and nursing ones, who face less risk from COVID-19 than from the seasonal flu, endanger their safety, as these biologics lack good manufacturing policies, lack strict safety safeguards, lack accountability, and indeed do not even fit the traditional definition of “vaccine”.
169. The CDS’ unwarranted Directives endanger vaccine confidence, as they follow a historic path within the CAF littered with disastrous debacles of unsafe yet sanctioned drugs and biologics that have devastated confidence in public health generally and the CoC specifically.
170. The Directives added a new, previously non-existing requirement to disclose the members’ personal health information to their CoC. This information was required to be shared via a non-secure portal that did not have protected information status thereby making private health information visible to individuals with no authorization to view the file.

171. On 8 December 2020, General Jonathan Vance, as CDS, issued TASKORD 002 which clearly stated that vaccination to protect against COVID-19 would only be administered after full informed consent had been received from the member. Jody Thomas, then Deputy Minister of National Defence told General Vance to bring in a mandated vaccination program to the CAF. He did not implement a mandate for COVID-19 biologics. On 14 January 2021, General Vance was removed as CDS.
172. Admiral Art McDonald was then named CDS. He was provided with a briefing note on 3 February 2021 about ordering mandatory injections for members of the CAF. The briefing note was clear that this medical treatment could not be mandated under existing laws and medical ethics. Admiral McDonald was removed from command on 24 February 2021. He did not implement a mandate for COVID-19 biologics.
173. On 10 March 2021 and 26 August 2021, General Wayne Eyre was provided with briefing notes outlining the same advice and issues as the briefing note given to Admiral McDonald on 3 February 2021. The briefing note dated 26 August 2021 was written by Lieutenant General Trevor Cadieu who resigned on 5 April 2022.
174. By August 2021, Moderna biologics were being pulled from distribution due to serious side effects in 18–45-year-old people. The risks were or should have been known to the Surgeon General and the CAF at this time.
175. In September 2021, a briefing note was prepared by two chaplains which actively supported rejecting any request for religious accommodations for any member of the CAF without consideration of personal beliefs, practices and/or faiths outside a limited scope of acceptable religions.
176. On 8 October 2021, the CDS issued Directive 001 ordering all CAF members to declare their vaccination status and become vaccinated with two doses of Moderna even though this product was already proving to be an imminent risk to the population of CAF members without proportional benefit. The Directive included inapplicable and unlawful threats to security of employment,

including forced leave without pay which cannot be forced on a member of the CAF under policy and legislation.

177. On 3 November 2021, the CDS issued Directive 002 modifying the original order with a deadline of 15 November 2021 for vaccination status or request for accommodation based strictly on religious grounds, medical grounds and grounds based on the *Canadian Human Rights Act*.
178. On 8 November 2021, an Aide Memoire was issued by Director of Military Career--Administration ("DMCA") providing further guidance for Commanding Officers ("CO") on carrying out the Directives. It was clear in all three documents that the decision regarding accommodation and remedial measures were to be in the hands of each CO and not escalated to higher authority in the CoC. Brigadier General LW Rutland (then Colonel Rutland) formed a committee of members of ranks and trades to review accommodation requests—several members of this committee had no clearance to review private and/or medical information about members posted to CFB Edmonton. They were also not qualified to assess religious and personal beliefs, medical conditions or violations of rights.
179. On 23 November 2021, the Office of the Chaplain General had issued *"RCCHS Supplemental Guidance: COVID-19 Vaccination Accommodation Requests Based on Religious Grounds"* as guidance on religious accommodation. This guidance was long after the CoC had already begun to deny religious accommodations. This document encouraged the rejection of religious accommodations to members.
180. On 22 December 2021, the CDS issued Directive 002-Amendment 1 modifying the original Directive further by allowing for a voluntary release or transfer to the Supplementary Reserve. Remedial measures still applied to members in the process of release whether for medical release or some other reason.
181. In February 2022, the Chief of Military Personnel issued instructions that DAOD 5019-2 would not apply to members who did not comply with the Directives thereby disregarding the members career and service record in considering their release under 5(f)—Unsuitable for further service category.

182. On 11 October 2022, the CDs issued Directive 003 modifying the original order but not removing the requirement for COVID-19 vaccination in the CAF.
183. None of the Directives nor the Aide Memoire acknowledged the current and binding law of Canada regarding religious and spiritual belief, bodily autonomy, right to medical privacy, informed consent for medical treatment, *NDA* s 126 governing vaccines in the CAF as well as DAOD 5016-0 prohibiting the use of the members of the CAF as subjects in medical experiments without full and informed consent along with strict guidelines governing administration and record keeping. Indeed, members were told that the law of Canada was not binding on the CAF or CDS.
184. The remedial measures policy within the Directives must be very precise and not contradict any existing policies or regulations. In this case, the Directives were vague, disorganized, contained inapplicable references and other errors and the execution was not clear.
185. Administrative measures are also not to be punitive in nature as per DOAD 5019-4 but rather to help a member overcome a deficiency. Under these Directives, the remedial measures were, in fact, punishments for failing to comply with this mandatory medical treatment.
186. Outcomes from administrative measures also cannot be pre-determined also per DOAD 5019-4. It is clear from the Directives and the DMCA Aide Memoire that the outcome for receiving no injections or not enough injections would result in a set outcome, namely, recorded punishments in a service record and release from the CAF.
187. The Directives ignored basic procedural fairness in administering remedial measures under the Directives. The outcome was pre-determined, the description of the deficiency had templated wording, the compliance periods were truncated, and the escalation of the remedial measures were also pre-determined. There was no consideration of other factors such as the member's representations or service record.
188. The Directives state these are temporary measures to deal with a public health event, however, the outcome for members who did not accept the

injections was permanent. Most were given a release category (5f) which severely impacted their future for any possible return to the CAF, employment with the public service, and ability to obtain employment benefits while they sought employment outside the CAF.

189. The decisions regarding accommodation and remedial measures resulted in a patchwork of decisions across the CAF. Some COs were relentless and brutal in carrying out the measures. This resulted in, despite the Directive clear delegation of power to the COs, officers higher in the CoC taking over the decision process and enthusiastically running roughshod over the rights and privacy of the members under their command. A few COs, knowing the CAF had a serious manpower issue, were able to accommodate or delay remedial measures.
190. Despite the overwhelming failure of Moderna and Pfizer-BioTech's COVID-19 biologics, the CAF continued its crusade: on 11 October 2022, in Directive 003, the CDS ordered that any member wishing to be posted, promoted or deployed must receive a booster injection.
191. On 4 November 2022, Vice Admiral Angus I. Topshee, Commander of the Royal Canadian Navy issued the requirement for a third booster to sail (be deployed) on ship. He then withdrew this requirement after public pressure on April 27, 2023.
192. To justify the Directives, the CAF ignored, and even hid, data showing severe, short-term risks of COVID-19 vaccination for the population group of the CAF and never admitted that the abbreviated studies could not have been long enough in duration to assess long-term, severe and irreversible injury. The CAF could not, and did not, arrive at a reasoned explanation of whether benefits outweigh the risk of injury for men and women aged 18-45, let alone for pregnant and nursing mothers. There are certain to be untold casualties and injuries. The men and women of the CAF, healthy and fit with years of life ahead of them, run the greatest risks of vaccine injury, yet have one of the lowest risks from COVID-19 itself than any other age group besides children.

193. At the date of filing this claim, not one member of the CAF has died from COVID-19 despite serving on the front lines of the pandemic in high risk environments like nursing homes; yet there are members with seriously life changing vaccine injuries and deaths from the administration of the biologics.
194. The CDS, General Eyre, was seen on Global News show “West Block” on 28 November 2021 where he supported his view that members who chose not to be vaccinated were, in his view, appropriately released as unsuitable for military service and were showing moral weakness by questioning and/or refusing his unlawful order. This public derision of the Plaintiffs further encouraged other officers and members of the CAF to follow his example by engaging in demeaning and abusive behaviours towards those who were hesitant or were not vaccinated.
195. When Directive 003 was issued, some of the Plaintiffs were still in the CAF and were ordered to return to work where they continue to face isolation, derogatory remarks and actions, failing evaluations and postings to undesirable locations with taskings outside their trade and/or skill set.
196. In this, the premature approval and Directives, the Defendants have abused their powers, denied members the procedural right to seek redress via accommodations, grievances and administrative measures, redefined the term “vaccine” for military members in violation of procedural due process, failed to satisfactorily articulate standards for assessing the safety, efficacy and necessity for the vaccine, and promoted the fraudulent use of the biologics, in violation of s 126 of the *NDA*.
197. The actions of the CAF and CDS has resulted in injury to the Plaintiffs, who have consistently worked to prevent this abuse of power from occurring and to protect the members and their families who are experiencing coercion, discrimination, and threat of loss of career and benefits in all instances.

BREACH OF THE CHARTER

198. Section 2(a) of the *Charter* provides that all Canadians have the fundamental right to freedom of conscience and religion. The protection is for the conscience of individuals, not the convenience of the state. The purpose of this freedom is to allow every individual to be free to hold and manifest whatever beliefs and opinions one's conscience dictates provided that such manifestations do not injure his or her neighbours or their parallel rights to hold and manifest beliefs and opinions of their own.
199. The CDS did not order vaccinations under s 126 of the *NDA* which gave him the authority to mandate vaccinations for members of the CAF. Had he done so, the member would be formally charged and given a court martial. The defence for s 126 is a reasonable excuse not to accept the vaccination as determined by an impartial decision maker. Members were denied the ability to present a defence and have the decision on their release determined in an independent hearing. Yet they received written reprimands and release documents stating they had not followed a lawful order without charge or hearing.
200. The Plaintiffs plead that the s 2(a) of the *Charter* provides them with the freedom of conscience to choose to exercise that freedom and not undergo a medical procedure, such as vaccination, absent injury to their neighbour. The mandated vaccinations do not prevent the transmission of COVID-19 and as such are ineffective and immaterial to ensuring the health and well-being of others. The Plaintiffs therefore plead that the Directives breach their rights under s 2(a) of the *Charter*. The conduct of the Defendants is not proportional, reasonably justified or saved under s 1 of the *Charter*.
201. The Plaintiffs plead that the s 2(a) of the *Charter* provides them with the freedom of religion and personal belief. Canadian citizens are free to choose their religion or personal beliefs and the associated practices for the religion or beliefs of their choice. The Plaintiffs were denied their right to practice their religion and personal beliefs in a way that is meaningful to them. They were denied religious accommodations even when the accommodations would not

cause undue hardship for the CAF. The Plaintiffs were told their faith was insincere or not closely held. Some were ridiculed for their faith and religious practices. Some religions were openly disregarded by the CAF and not included by the Chaplain General as accepted faiths within the definition of religion prescribed by the CAF. The Plaintiffs therefore plead that the Directives breach their rights under s 2(a) of the *Charter*. The conduct of the Defendants is not proportional, reasonably justified or saved under s 1 of the *Charter*.

202. The Plaintiffs plead that s 2(d) of the *Charter* protects their rights members to associate in a process of collective action to achieve workplace goals and missions. As such, laws or state actions that prevent or deny meaningful discussion and consultation about working conditions between members and their CoC may substantially interfere with the activity of interacting with other military members as well as operational effectiveness.

203. Section 7 of the *Charter* provides that all Canadians have the right to liberty and security of the person and not to be deprived thereof except in accordance with the principles of fundamental justice. It further includes the right to “decide one’s own fate”, including directing the course of their own medical care via informed consent. The right of medical self-determination is not vitiated by the fact that serious risks or consequences, including death, may flow from the patient’s decision. This principle is the same in cases regarding the right to give informed consent to medical treatment, the right to refuse medical treatment, and to demand that treatment be withdrawn or discontinued.

204. Military members do accept ultimate liability upon enrollment in the CAF. This acceptance however is of no force or effect outside of military operations requiring life threatening actions to achieve the mission. COVID-19 was never a battlefield nor was it a military operation requiring sacrifice of military members.

205. The Plaintiffs plead that the Directives violated their rights under s 7 by infringing on their security of the person, liberty, and residual liberty in mandating a medical procedure, and in consequence of non-compliance, punishing the Plaintiffs with significant financial, physical, and emotional harm. The punishments imposed on non-compliance with the Directives have a specific

coercive and deleterious effect on the Plaintiffs resulting in substantial infringement on their s 7 right. The conduct of the Defendants is not proportional, reasonable justified or saved under s 1 of the *Charter*.

206. A decision of the Military Grievances External Review Committee on 30 May 2023 determined that the Directives vaccination policy was arbitrary, overly broad and had disproportionate impact which is contrary to the s 7 *Charter* rights of the members of the CAF and was unreasonable. The conduct of the Defendants was not deemed to be proportional, reasonably justified or saved under s 1 of the *Charter*.

207. Section 8 of the *Charter* provides that every person has a right to privacy, most importantly medical privacy. The Directives required all the Plaintiffs to disclose private medical information on an unsecured network known as Monitor Mass("MM"). In October of 2021, MM did not have Protected B status which is required for confidential information. Private medical information of all members was easily accessible to both their CoC as well as others who did not have any reason to know the information and/or share it with others within the CAF. In addition, other forms of information sharing allowed other members to know private medical information through emails with names clearly visible, lists left in clear view of others within the CAF offices, being isolated into outdoor tents or small rooms during working hours as well as requiring testing and wearing of masks by only those who were not recorded as having received the injections.

208. The Plaintiffs plead that because of the Directives their rights under s 8 of the *Charter* have been infringed upon as they were subjected to differential treatment by their peers and superiors in the CoC. This had the effect of perpetuating or promoting the view that the Plaintiffs were a risk or less worthy of recognition or value as human beings or as members of Canadian society. The conduct of the Defendants is not proportional, reasonable justified or saved under s 1 of the *Charter*.

209. Section 15 of the *Charter* provides that every person is equal before and under the law and has the right to the equal protection and benefit of the law without discrimination based on race, ancestry, sex or gender.

210. The Plaintiffs plead that because of the Directives their rights under s 15 of the *Charter* have been infringed upon as they were subjected to differential treatment by imposing a burden upon them and punitively withholding the benefits of employment from them in a manner which reflects the stereotypical application of presumed group or personal characteristics or which otherwise has the effect of perpetuating or promoting the view that the Plaintiffs are less capable or worthy of recognition or value as human beings or as members of Canadian society, equally deserving of concern, respect and consideration. The conduct of the Defendants is not proportional, reasonable justified or saved under s 1 of the *Charter*.
211. *Charter* damages are a just and appropriate remedy in this case to vindicate rights, deter conduct and achieve the objective of the compensation.

PRIVACY RIGHTS

212. The Plaintiffs plead that requiring them to disclose private medical information to the CoC intentionally or recklessly or wilfully, and without claim of right, intruded upon the Plaintiffs private affairs; a reasonable person would regard this intrusion as highly offensive and causative of distress, humiliation and/or anguish.
213. The Plaintiffs plead that the Directives intrusion in disclosure of private medical information violates common law and statutory rights pursuant to the *Privacy Act* RSC 1985 c P-21 ("Privacy Act"). The CAF is a government agency and is therefore governed by the federal statute.
214. The stated purpose and/or reasons for the attestations of vaccination status are not congruent with using that information for adverse administrative action and/or to release the non-complaint, which is a violation of the *Privacy Act*.

AGGRAVATED AND PUNITIVE DAMAGES

215. The Plaintiffs plead that the Defendants, by virtue of the conduct included in this Statement of Claim have inflicted mental, physical and emotional distress by engaging in conduct:

- a. that constitutes conduct that is flagrant and outrageous;
- b. that was calculated to produce harm and produce the consequences that flowed from the Directives; and
- c. that resulted in injury to the Plaintiffs.

216. The Plaintiffs plead that the conduct of the Defendants as outlined in this Statement of Claim demonstrates a wanton, high-handed and callous disregard for the interests of the Plaintiffs. This conduct merits an award of aggravated and punitive damages.

LEGISLATION, REGULATIONS AND ENACTMENTS

217. The Plaintiffs rely on the following legislation, regulations, documents, and enactments:

- a. *Canadian Charter of Rights and Freedoms*, ss. 1, 2, 7, 8, and 15;
- b. *Constitution Act, 1982*;
- c. *Crown Liability and Proceedings Act* RS 1985 c C-50;
- d. *Canadian Bill of Rights*, SC 1960 c 44;
- e. *Civil Code of Quebec* CQLR cC-1991 s 1621
- f. *Federal Court Rules*, SOR/98-106;
- g. *The Nuremberg Code (1947)*;
- h. *National Defence Act* RSC 1985 c N-5;
- i. *Kings Regulations and Orders*;
- j. Defence Administration Orders and Directives;
- k. Directive on Vaccination 001, 002, 002-Amendment and 003; and
- l. Such further and other authorities and legislation as counsel may advise and this Honourable Court may accept.

REMEDIES

218. The Plaintiffs repeat the claims for relief as set out in paragraph 1 above.

JURISDICTION AND VENUE

219. The Crown is liable for the damages for which, if it were a person, it would be liable, in respect of a tort committed by a servant of the Crown (*Crown Liability and Proceedings Act* RS 1985 c C-50 s3(b)).

220. The Crown is liable for the violation of the Charter by a servant of the Crown (*Crown Liability and Proceedings Act* RS 1985 c C-50 s3(b)).

221. Officers of the Canadian Armed Forces are servants of the Crown (*Crown Liability and Proceedings Act* RS 1985 c C-50 s36).

222. The Plaintiffs are residents of Canada.

223. The actions of the Defendants all occurred in Canada.

224. The Plaintiffs propose that this action be tried at Edmonton, Alberta.

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Catherine M. Christensen
Barrister & Solicitor
Valour Legal Action Centre
405, 1 Tache Street
St Albert, AB T8N 1B4
780-544-2200
Fax 866-560-9826
cchristensen@valourlaw.com