



Date: 20230707

Docket: T-1436-22

Edmonton, Alberta, July 7, 2023

PRESENT: Madam Associate Judge Catherine A. Coughlan

BETWEEN:

BERNARD ALBERT, MARIE ALLCHURCH, JULIA ALVAREZ, JASON AMARO, VANESSA APOSTOLOVSKI, MARIA ARENA, ALI BAHRI, RAYMOND. S. BAKER, DAVID BAKHUYZEN, KIM BANDO, ADILA BASIC, ANJA BATTIE, KELLI BATTYANYI, MICHAEL BECKER, JASON MATTHEW BERARD, WANDA BERG, LAURIE BERNES, ANDREA BIALOWAS, THERESA BICKLE, ANGELLA BLIER, MARK BOIKOVITIS, ERIK BOUCHARD, ROBERT BOURBONNIERE, BROOKE BOUTANG, VERONIQUE BRETON, NATASHA BUDY, JENNIFER-LYNN BULLICK, MARY BURKE, CATHERINE CABRAL-MCKEAND, EDUARDO CAETANO, ANTHONY CAETANO, JENNIFER CAUDRON, TRACY CHASE, NATACHA CHEVARIE, MIMI CHOO, WILLIAM CHOW, CHERYL CHOW, ANGELINA CLARK, PAUL CLEMENTS, SANDRA COLE, JENNIFER COMIN, ANTHONY COMMISSO, TANYA DOCANTO CORDEIRO, ESTERINA COSTA, ROCCO COTUGNO, FRANCESCO "FRANK" COTUGNO, RICHARD COUTURIER, WAYNE COWAN, KENTON CROOK, MICHAEL CURRIE, SELENA CVITAN, MARK DAGGETT, MARCO DALL'ANTONIA, JANA DANCAKOVA, AMANDA DEMPSEY, JASON DENTINGER, MARLICE DEPTUCH, ANTHONY DEROSE, LORRAINE DESCHAMPS, GISELE DESHARNAIS, KAREN DESROSIERS, JOHN DEVINE, SUSAN DEWALD, EZIO DIFONZO, DONALD WAYNE DUNHAM, BRANDY DUPAS, TERESA ELLISON, JOHN EMMANOUIL, JOHANNA EMMANOUIL, SHELLEY ESCOBAR, JOY ESDAILLE, WILLIAM FAUSTINO, RAQUEL FERREIRA, SHERRY FERREIRA, PAXTON FIRTH, MICHELINE FLEURY, SARAH FRANGIONE, ERIN FULLER, MICHAEL GAIREY, JESSICA GASKIN, KAREN GIBEAULT, SHEILA RAE GOW, JAYDE GRAVEL, MICHAEL GRIGORATOU, URVASHI GURUNG, RYAN HAMER, CHARLENE HANSON, JASMIN HARRISON, CARLY HART, TAMMY HAYES, JAYSON PETER JAMES HEIDEBRECHT, DENISE HERBERT, JORGIE HIDALGO, TIMOTHY HIEBERT, DONNA HISCOCK, DENISE HOHN, ELAINA HUDYMA, KATHRYN (KATIE) HUNT, TANYA HUTCHINSON, ZDZISŁAW JABŁOŃSKI, MARTINE JARRY, CARLA JENKINS, STEPHANIE KATHLEEN JOHNSTON, NICHOLAS JOHNSTON, RIINA KAPP, RUDY KERN, MARK KILLEEN, SABRINA KINCAID, MARIETTA KIRBY, SANDRA KOSTENKO, CALVIN KOTOWICH, DAMIR KRAMARIC, SANDRA KRASINKIEWICZ, ROCKY KUJALA, HELENE LA ROCHELLE, AVINASH LALOO, MEGAN LANE-KARRAS, MARTINE LAROCQUE, LINE

LAVALLEE, KEVIN LAWRES, CHUNG LE, LUC LEBLANC, DONNA LEEDER, PATRICK LESSARD, LISA LEVESQUE, LORRAINE LIGHT, GISELE LIRETTE, RANDY LOGAN, SANDRA M LOPES, KIM LUMSDEN, WENDY LUNDVALL, PAUL LUSSIER, PAUL LYNN, NICOLA MACDONALD, MICHAEL MAFILOVSKI, VIJAY MAHARAJ, CAROLINE MAHEUX, TANYA MANDEL, TRACY MA-PRICE, MARIE MARCOTTE, ANNA MARRO, DEVAN MARSHALL, JUDY MARTENS, JOSYANNE MARTIN, JENNA MATHIES, TRACEY MATLOCK, DANIEL MATTI, WILLIAM GRANT MAYER, BOZENA MAZUR, DAWN MCFARLANE, MARGARET MCGEACHIE, CHRIS MCGRATH, LUCAS MCIVOR, KAREN MCQUADE, SZILVIA MERTL, ROCCO MESSERE, ANNA MIASIK, SARAH MICKALKO, JASON MIELKE, LAWRENCE (LARRY) MILLSON, SERGIO A MOLINA C, JAMES MORRIS, JAMES MORRISON, RACHEL MULLARKEY, PAUL NAHIRNIAK, DIDI (PREVIOUSLY DANIELLE) NAVALES (PREVIOUSLY FREEMAN), MARGARET NEB, AMANDA NEIL, SCOTT NEIL, TRACEY NELLIS, JOCELYN NELSON, GEORGE NICOLAIDES, LISA NICOLL, JULIE NOBLE, CHAD NORMANDEAU, CHERISE O'CONNOR, GERALDINE OLSON, MARC ORICHEFSKY, RYAN ORYDZUK, STEVEN OVERHOLT, KRISTY PACHOLKA FORD, FANY PELLETIER-GOUGEON, CHRIS PILLON, LESLIE J POLLOCK, ELZBIETA PONIKIEWSKA, KIMBERLEE PRIEST, NATHAN RAE (AKA ADAN EDEY), TRACEY RALSTON, KARL RATCHINSKY, DANIEL RAYO, ANTONIO REDA, JULIE REEVES, CORELEI REICHERT, DOLORES RELIC, AMBER RICARD, LENA (HELENE) RICCI, SHEILA RIDDELL, BREEANNE RIDGE, KEENAN ROBINSON, MICHAEL ROBITAILLE, MYRA ROBITAILLE, ROBERT ROBSON, JODI RODDY, DJ (DEBBY) RODNEY, AMANDA (GOOD) ROOMETS, JEAN-FRANCOIS ROSA, SANDRA ROSSETTO, ANGELA RYCKMAN, STEPHANIE SAMSON, JOSHUA SAMUELSON, RUSSEL "RUSS" SAWCHUK, JUSTIN SCHEFFER, DEREK SCHOENFELDT, AARON SCHROEDER, CARMEN SCHVARCZINGER, SHAUNA SCOTT, STEPHEN SEE, JACQUELINE(JACKIE) SELK, FLAMUR SELMANI, MARION SERINK, JOHN-LUIS GABRIEL SERRAMBANA, DEWITT C. SHAINLINE, SHRIKANT (SHRE) SHARMA, DEBORAH SHAW, ALAN SHUM, WANITA SIKLENKA, NATHANIEL SLEDZ, BENJAMIN BRADLEY, ARTHUR SMITH, KARINE SOLAKIAN, JULIE SRIGLEY, DAVID STEEVES, KAREN STEVENS, MICHELENE STEWART, JAMES STEWART, SUSAN STEWART, ROBERTA STRICKLAND, MARTYNA STYRCZULA, LINDSAY SUNTHGOLAM, PAWEL SZOPA, ANTHONY PALOZZI, STEVEN TANNER, LORI TAYLOR, SINA TEHRANCHI, HOLLY THIBODEAU, CHRISTOPHER THOMPSON, JENNIFER TOBIN, VANESSA TOEWS, ZVONIMIR TOMAS, JOSHUA DON TORRES, ENRIQUE TOSI, ERIC TOUPIN-SELINGER, TIMOTHY DOUGLAS TRACY, CATY TRAN, HUGO TREJO, LARA TRENAMAN, MELISA TREPANIER, CAROL-ANNE VALCOURT, LEONARDO VASQUEZ, MELANIE VENDRYES, LUIZA VISIC, CARRIE VISSER, JENNIFER VOGELGESANG, SHANDA VORRATH, MARY VUK, PAMELA WAGNER, MARIAM WALI, HEIDI WANJON, JOEL WAZNICKY, CORY WEGE, ELVIN WEGNER, NANCY WHITCOME, WARREN WHITE, JOHANN WILSON, JAMES WINNING, LINDEN WRIGHT, SHANE YAWORSKI, YVONNE YUTUC, CARSON ZORGET, MICHAEL ZOTTOLA, MARCIA HEWETT-HICKS

Plaintiffs

and

**CANADA POST CORPORATION, HIS MAJESTY THE KING IN RIGHT OF
CANADA, THE ATTORNEY GENERAL OF CANADA**

Defendants

ORDER

UPON a case management teleconference having been held on May 31, 2023 with counsel for the parties in this action to address the scheduling of the Defendant, Canada Post Corporation’s (“Canada Post”), proposed motion to strike (“CPC’s Motion to Strike”);

AND UPON hearing submissions on behalf of the parties;

AND UPON being advised that the Plaintiffs intend to deliver an Amended Statement of Claim (“Amended Claim”);

AND UPON being further advised that Canada Post maintains its intention to bring a motion to strike despite the Amended Claim;

AND UPON being further advised that the Plaintiffs expect to serve the Amended Claim by June 15, 2023;

AND UPON being further advised that the Defendants seek an order to extend the time for filing their Statements of Defence to thirty (30) days after issuance of the Court’s decision on CPC’s Motion to Strike;

THIS COURT ORDERS that:

1. The timetable for the service and filing service and filing of motion materials in CPC's Motion to Strike and Canada's Motion to Strike shall be the following:
 - (a) Canada Post and Canada shall serve (but not file) their notices of motion and any supporting affidavit evidence no later than August 18, 2023;
 - (b) The responding parties on the motion shall serve (but not file) any responding affidavit evidence by September 15, 2023;
 - (c) The parties shall complete any cross-examinations on affidavits by October 27, 2023;
 - (d) Canada Post and Canada shall serve and file their complete motion records, in accordance with Rule 364 of the *Federal Courts Rules* [Rules], along with proof of service, by November 17, 2023; and
 - (e) The responding parties shall serve and file their complete motion record, in accordance with Rule 365 of the Rules, along with proof of service, by December 8, 2023.

2. The hearing of CPC's Motion to Strike and Canada's Motion to Strike shall take place at a special sitting of the Federal Court on January 23-25, 2024 at 9:30 a.m. MST for a duration of three (3) days. Unless otherwise directed by the Court, the hearing shall proceed in-person at the Federal Court, Rice Howard Place, Tower 1, Suite 530, 10060 Jasper Avenue, Edmonton, Alberta.

3. The Defendants are granted leave to serve and file their Statements of Defence in the action within thirty (30) days after the date of the Order disposing of CPC's Motion to Strike and Canada's Motion to Strike.
4. All other timelines that apply to the action are suspended until after the date of the Order disposing of CPC's Motion to Strike.

"Catherine A. Coughlan"
Associate Judge