

Clerk's Stamp

COURT FILE NO. 2001-14300
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
APPLICANTS REBECCA MARIE INGRAM, HEIGHTS BAPTIST CHURCH, NORTHSIDE BAPTIST CHURCH, ERIN BLACKLAWS and TORRY TANNER
RESPONDENTS HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ALBERTA and THE CHIEF MEDICAL OFFICER OF HEALTH

DOCUMENT

ORDER

ORDER PREPARED BY

Rath & Company Barristers & Solicitors 282050 Hwy 22 W Foothills, AB, T0L 1W2 Attn: Jeffrey R. W. Rath Phone: 403-931-4047 Fax: 403-931-4048 Email: jrath@rathandcompany.com Counsel for: Rebecca Marie Ingram	Justice Centre for Constitutional Freedoms #253, 7620 Elbow Drive SW Calgary, AB, T2V 1K2 Attn: Leighton B. U. Grey, Q.C. Jocelyn Gerke Phone: 403-475-3622 Fax: 587-352-3233 Email: lgrey@gwsllp.ca jgerke@jccf.ca Heights Baptist Church, Northside Baptist Church, Erin Blacklaws and Torry Tanner
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DATE ON WHICH ORDER WAS PRONOUNCED:

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

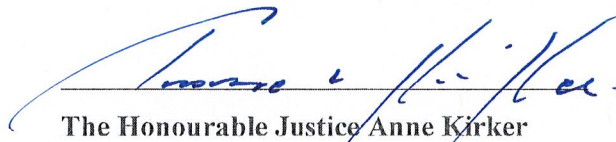
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice Anne Kirker

UPON THE NOTICE OF APPLICATION of the Applicants;

AND UPON HEARING the submissions on behalf of counsel for all parties;

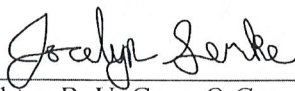
IT IS HEREBY ORDERED THAT:

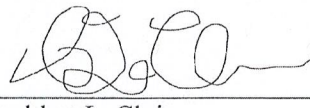
1. All materials for filing shall be provided to the Court of Queen's Bench in accordance with the Court's e-filing procedures. All materials contemplated by this Order shall be provided to the other parties on or before 4:00 P.M. of the date specified.
2. The parties shall adhere to the schedule set out in Schedule A of this Order. The dates in Schedule A may not be changed except by further order of the Court on application by any party.
3. If there is a dispute as to the adequacy of the particulars regarding the basis for the Applicants' challenges of the Chief Medical Officer of Health Orders to be provided by the Applicants to the Respondents, the parties may contact Justice Kirker to schedule a time to address that dispute.
4. Once the preliminary applications described in Schedule A have been heard and decided, the parties shall contact Justice Kirker to schedule a time to address the terms of an oral hearing order that shall govern the procedure for the hearing of the merits and dates for that hearing shall be confirmed.



The Honourable Justice Anne Kirker
J.C.Q.B.A.

APPROVED AS TO FORM AND CONTENT THIS ____ DAY OF MARCH, 2021

per


Leighton B. U. Grey, Q.C.
Counsel for the Applicants:
Heights Baptist Church, Northside Baptist
Church, Erin Blacklaws, and Torry
Tanner


Brooklyn LeClair
Counsel for the Respondents: Her Majesty
the Queen in right of the Province of
Alberta and the Chief Medical Officer of
Health


Jeffrey R. W. Rath
Counsel for the Applicant: Rebecca Marie
Ingram

SCHEDULE "A"

Date	Action
Preliminary pleading issues to be determined in a 1/2 day special application on Wednesday, April 21, 2021 at 2:00 pm: <p>The Applicants seek to amend their Originating Application to add a claim for additional declaratory relief on grounds that the proposed amendments will help to clarify the real issues in dispute. They assert that the proposed amendments are not hopeless, time barred, or sought in bad faith, and that the Respondents will not be prejudiced by the proposed amendments. The Respondents seek an Order striking parts of the Originating Application on the grounds that some of the issues raised have been definitively resolved in law and accordingly disclose no reasonable claim, and that other parts of the Originating Application disclose no reasonable claim on the basis of the facts pleaded. The Respondents assert that these parts of the Originating Application are frivolous, irrelevant and improper and should be struck.</p>	
February 26	Respondents shall file Application to Strike
	Applicants shall file Notice of Application to Amend Originating Application
	Applicants shall provide particulars on Chief Medical Officer of Health Orders and <i>Charter</i> infringements to Respondents
March 12	Respondents shall file Brief on Application to Strike
	Applicants shall file Brief on Application to amend Originating Application
March 26	Applicants shall file Response Brief on Application to Strike
	Respondents shall file Response Brief on Application to amend Originating Application
April 1	Respondents may file Reply Brief on Application to Strike
	Applicants may file Reply Brief on Application to amend Originating Application
April 21, 2021 at 2:00 pm - 1/2 day special chambers hearing	
Preliminary evidence issues (and any issues in dispute related to standing) to be determined in a one day special application on Tuesday, June 1, 2021 at 10:00 am: <p>The Respondents seek to strike parts of the Affidavit Evidence upon which the Applicants rely on the basis that the Affidavits contain frivolous, irrelevant or improper information. The issues to be determined will include whether the Applicants seek to have more than one expert give</p>	

opinion evidence on the same subject, in which case, Court permission will be required in accordance with Rule 8.16. Any issues of standing will also be addressed on this date.	
May 7	Respondents shall file Application to Strike the Affidavits and Brief on Application to Strike the Affidavits
May 21	Applicants shall file Response Brief on Application to Strike the Affidavits
May 28	Respondents may file Reply Brief on Application to Strike the Affidavits
June 1, 2021 at 10:00 am - full day special chambers hearing	
Expected the week of June 18	Decision on Application to Strike the Affidavits
July 12 * this date assumes the decision was released by June 18	Respondents shall file Affidavits and Rebuttal Report(s) per <i>Alberta Rules of Court</i> R 5.35(2)(b)
July 30	Applicants shall file Surrebuttal Reports per <i>Alberta Rules of Court</i> R 5.35(2)(c)
August 13	Cross Examinations on non-expert Affidavits completed
	Deadline for Applicants and Respondents to notify the other party of any objection to the party's expert's report and the reasons for the objection per <i>Alberta Rules of Court</i> R 5.36
August 27	Applicants shall file Pre-Trial Factums
September 10	Respondents shall file Response Factum
September 17	Applicants may file Reply Factums
Hearing of the merits to be determined in an oral hearing on dates to be determined. Dates for the hearing and the terms of an oral hearing order will be finalized once the preliminary pleading and evidence issues are determined.	
September 20 – October 1	Two week hearing with <i>viva voce</i> evidence from experts and with any issue of standing addressed as a pre-hearing application