**File No: \_\_\_\_\_\_\_\_\_**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**RECORD OF MOTION**

**1. Notice of Motion**

**2. Applicant's Affidavit**

**3. Applicant's Memorandum**

**For the Applicant:**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Tel/fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**For the Respondent:**

**Attorney General for Canada**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**NOTICE OF MOTION**

**TAKE NOTICE of the Applicant's motion in writing filed at the**

**Federal Court of Appeal.**

**THE MOTION SEEKS an Order that:**

**1) the time be extended to file a Notice of Appeal by a class**

**member affected by Dec 30 2014 Amended Order of Federal Court**

**Justice Manson;**

**2) Applicant's MMAR permits be deemed amended in the interim**

**pursuant to changes described in Applicant's Affidavit;**

**3) Applicant's possession and shipping limit be returned to 30**

**times Applicant's personal daily dosage.**

**THE GROUNDS are that**

**1) Applicant in the affected class needs remedy for issues**

**left unaddressed;**

**2) deeming possess permits to be grandfathered with their grow**

**permits or deeming valid permit changes for new data may**

**easily be rescinded if necessary and is the only instant**

**remedy available at the moment;**

**3) Justice Manson's 5 gram x 30 days = 150 gram possession cap**

**is based on Health Canada's estimated 1-3 grams/day average**

**though his ruling noted the actual prescribed average daily**

**dosage they were attempting to estimate was 17.7 grams per**

**day! 30 times Applicant's prescription would seem the more**

**logical limit to impose.**

**AND FOR ANY ORDER abridging any time for service or amending**

**any error or omission which this Honourable Court may allow.**

**Dated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2015.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant's Signature:**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Tel/fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**TO: Registrar of this Court**

**Attorney General for Canada**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**NOTICE OF MOTION**

**For the Applicant**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**APPLICANT'S AFFIDAVIT**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, residing at**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ make oath as follows:**

**1. #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the**

**Health Canada number of my MMAR permits authorizing me to**

**possess and produce medical marijuana and am therefore in the**

**class of patients affected by the Orders of Justice Manson in**

**Allard et al v. HMQ [T-2030-13].**

**2. I am in the very same situation as Allard Appellant:**

**A: (\_\_\_) Tanya Beemish in that I have a grandfathered Produce**

**Permit but a lapsed Possession Permit;**

**B: (\_\_\_) David Hebert in that failure to allow amending my**

**permits denies me access to my medicine. I need my**

**Authorization To Possess to be deemed changed as follows:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**3. I only ask the Court to provide me with an Interim Order**

**deeming both my permits amended to Oct 1 2013 and/or deeming**

**the permit changes to be effected. I don't even need Health**

**Canada to amend my permits. A court Order I can show an**

**officer authorizing any change should well suffice.**

**Sworn before me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_2015.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Tel/fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**A COMMISSIONER, ETC.**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**APPLICANT'S AFFIDAVIT**

**For the Applicant**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**APPLICANT'S MEMORANDUM**

**PART I - STATEMENT OF FACTS**

**1. Applicant is an authorized medical marijuana patient in the**

**class affected by the Allard v. HMQ motion below and moves for**

**an extension of time to appeal the Dec 30 2014 decision of**

**Manson J. and for an interim remedy deeming the Authorization**

**to Possess and Produce permits be amended to reflect the**

**necessary changes described in Applicant's Affidavit.**

**MMAR HISTORY**

**2. On Oct 1 2013, Health Canada instituted the MMPR and no**

**longer accepted applications for ATPs under the MMAR which**

**would be repealed on April 1 2014. Patients whose exemptions**

**expired in the half-year before April 1 2014 could only remain**

**legal by destroying all they had previously-grown and stocked**

**and providing proof of purchase from one of only 6 Licensed**

**Producers at the time. Deterred by prohibitively high MMPR**

**prices, most Exemptees could not purchase to remain legal and**

**continued to use their own now-illegal stock rather than**

**destroying it and suffering without. The Health Canada**

**Destroy-to-Renew Order forced all but the rich into the Parker**

**Predicament of having to choose between their health and the**

**law. Most chose outlawry while awaiting court developments and**

**many patients have since been busted for continuing their**

**prescribed treatment.**

**3. Mar 18 2014, the date of the Motion Hearing in Allard,**

**Davey, Beemish & Hebert v. HMQ [T-2030-13] before Federal**

**Court Justice Manson for extension of the MMAR was the last**

**day of Robert Roy's Authorizations to Possess and Produce with**

**all permits expiring less than 2 weeks later on April 1 2014!**

**They would remain exempted or not depending on the decision.**

**But the judge reserved his decision. And so Robert Roy's**

**exemption expired the next day while awaiting the decision.**

**4. On Mar 21 2014, just 2 days later, Justice Manson**

**grandfathered all Grow Permits back to Oct 1 2013 but only**

**grandfathered the Possess Permits requisite to enable the Grow**

**permits as of the date of his decision, not to the date of the**

**hearing! Though Roy had sufficient medical need to have his**

**permit extended on the date of the hearing, the court ruled he**

**no longer did on the date of his decision only 3 days later. No provision was made for ATPs needing to be amended from**

**becoming voided thus Hebert, having had to move, was Left Out**

**of the relief.**

**5. The Crown appealed any extension of patients' MMAR permits**

**wanting everyone cut off from their medication, not just those**

**12,000 unfortunate enough to have expired in the previous**

**half-year. The Allards cross-appealed for relief to:**

**a) expand the extension to all patients with grand-fathered**

**Production Permits;**

**b) allow permits to be amended.**

**6. On Dec 15 2014, the Federal Court of Appeal Justices Nadon,**

**Webb and Boivin ruled:**

**[18] While the judge carefully crafted and tailored his**

**order in a way that he considered minimally intrusive into**

**the legislative sphere (judge's reasons at para. 121), it**

**does not provide remedy to patients who held valid**

**production licences on September 30, 2013 but whose**

**authorizations to possess expired between September 30,**

**2013 and March 21, 2014 (the date of his order). The**

**judge's choice of March 21, 2014 as the "cut-off" date has**

**the effect of excluding Ms. Beemish and Mr. Hebert from**

**his order.**

**[19] With respect, the difficulty with the judge's finding**

**is that although he provides a right (the interlocutory**

**injunction) to the four (4) respondents - Mr. Allard, Mr.**

**Davey, Ms. Beemish and Mr. Hebert - he does not, in**

**contrast, explain why he deprives two (2) respondents -**

**Ms. Beemish and Mr. Hebert - of a remedy. After careful**

**reading of the judge's reasons, I am left to speculate as**

**to his intention.**

**[20] In these circumstances, I cannot address properly the**

**determination the respondents are seeking as I am unable**

**to understand whether the judge intended to exclude Ms.**

**Beemish and Mr Hebert or simply forgot to deal with their**

**situation. In other words, the judge's reasons do not**

**allow this Court to perform its appellate function.**

**[21] After considering making an assessment of the**

**evidence, I believe that the wiser course is to return the**

**matter to the judge with a direction that he specifically**

**addresses the situation of Ms. Beemish and Mr Hebert.**

**[23].. I would remit the matter back to the judge for**

**determination solely on the issue of the scope of the**

**remedy, more particularly with respect to Ms. Beemish and**

**Mr. Hebert, in accordance with these reasons.**

**7. On Dec 30, 2014, Justice Manson refused the Order of the**

**Court of Appeal to reconsider his decision:**

**Upon having regard to the Federal Court of Appeal's**

**decision dated December 15 2014...**

**THIS COURT ORDERS that:**

**[1] The Plaintiffs request a reconsideration of my**

**decision of Mar 21, 2014, to**

**(i) order that all patients that held a valid**

**Authorization to Possess (ATP) on March 21 2014, or in the**

**alternative, September 30 2013, are covered by the**

**Exemption Order I made, and to**

**(ii) order that all patients exempted by the Order,**

**including Mr. Hebert and Ms. Beemish, and others similarly**

**situated, can change their address form with Health Canada**

**pending trial.**

**[2] As stated above, the Federal Court of Appeal remitted**

**the issue of the scope of the interlocutory injunction for**

**clarification only, to specify whether the injunction**

**applied to Ms. Beemish and Mr. Hebert.**

**There is no reconsideration to be made and certainly no**

**expansion of the scope of my decision to apply to anyone**

**other than the plaintiffs in the proceeding.**

**[3] In considering the balance of convenience, I**

**specifically chose the relevant transitional dates of**

**September 30 2013 and March 21 2014 to limit the**

**availability of injunctive relief to extend only to those**

**individuals who held valid licenses to either possess or**

**produce marijuana for medical purposes as of those**

**relevant dates...**

**[4] Accordingly, only those plaintiffs who had a valid**

**license on September 30 2013 could continue producing**

**marijuana for medical purposes and only those plaintiffs**

**who held a valid authorization to possess marijuana for**

**medical purposes at the time of my decision on March 21**

**2014 could continue to so possess.**

**[5] In considering the balance of convenience, the remedy**

**I granted was intended to avoid unduly impacting the**

**viability of the Marijuana for Medical Purposes**

**Regulations (MMPR) and to take into consideration the**

**practical implications of the MMAR regime no longer being**

**in force.**

**[6].. The fact they did not possess valid licenses as of**

**the transitional dates was determinative of their**

**inability to be covered by the injunctive remedy granted."**

**ALLARD APPEAL**

**8. On Jan 6 2015, attorney for Beemish and Hebert, John Conroy**

**sought an adjournment of the Action for their permits to await**

**the Supreme Court of Canada's Owen Smith decision challenging**

**the prohibition on "dried" marijuana which does absolute**

**nothing for Beemish nor Hebert nor other patients with now-**

**invalid permits who were cut off for non-medical reasons.**

**Justice Manson denied the motion to adjourn the trial slated**

**for Feb 23 2015.**

**9. On Jan 16, Conroy filed an appeal of Manson J.'s Dec 30**

**2014 Amended Order which was accepted though it was late but**

**failed to file a motion for immediate interim relief from the**

**court above which had just ruled his clients had a Charter**

**right for which no Charter remedy had been provided. Such**

**high-probability immediate relief is not on Conroy's agenda.**

**10. On Feb 5 2015,Justice Boivin noted the appeal was late and**

**ordered Conroy to file a motion for an extension of time to**

**file the Notice of Appeal. The request was filed on Feb 11 but**

**as yet, the Allard Appeal is not open.**

**PART II - ISSUES IN QUESTION**

**11. The learned judge erred in:**

**1) making non-medical reasons determinative of medical need in**

**a balance of convenience between the viability of the MMPR and**

**the viability of the patients;**

**2) failing to consider high-dosage patients in imposing the**

**150 gram possession limit.**

**PART III - ARGUMENTS**

**1) NON-MEDICAL REASONS DETERMINATIVE OF MEDICAL NEED**

**a) Medical need determined by expiry dates**

**12. Though it was clear Justice Manson ordered expiry dates**

**and permit changes to be made determinative of sufficient**

**medical need to merit Charter Relief, the Court of Appeal**

**couldn't fathom why Judge Manson had granted the Right to Life**

**for all but had not granted a remedy to Left-Out Beemish and**

**Changed-Out Hebert. But rather than expand the remedy**

**themselves, the Court of Appeal sent it back below to find out**

**if the judge had simply forgotten to grant half of Canada's**

**medicinal marijuana patients access to their medicine or**

**whether he intended leaving them without any Charter remedy**

**for their Charter Right to Life.**

**13. Justice Manson refused to reconsider grandfathering**

**Possess Permits for all patients with grandfathered Grow**

**Permits nor permitting any permit changes. The Court of Appeal**

**had failed to consider the need to "avoid unduly impacting on**

**the viability of the MMPR and to take into consideration the**

**practical implications of the MMAR regime no longer being in**

**force."**

**14. How would grand-fathering all possess permits with all**

**grand-fathered grow permits or amending current permits be**

**unduly impacting on the viability of the MMPR? What are the**

**implications of extending the MMAR for amendments as well as**

**for permits that are so inconveniently impractical?**

**15. Without making expiry dates determinative of medical need,**

**the court would have had to cut everyone off which would have**

**eliminated unduly impacting on the viability of the MMPR most**

**completely. Though anguish and suffering may go unnoticed,**

**loss of patient "viability" might be too large to be ignored.**

**16. Making expiry dates determinative of medical need offered**

**the excuse to cut at least some patients off by distinguishing**

**between those with still-valid ATPs whose medical need the**

**Court had to acknowledge and those who failed to renew whose**

**medical need the Court no longer had to acknowledge. Without**

**such a non-medical criterium applied, there would be no "Some**

**get their prescribed medication and others do not!" All would**

**or all would not.**

**17. The judge did not consider why half the 24,000 Exemptees**

**failed to renew their cherished permits, that Health Canada's**

**Destroy-To-Renew Order and the prohibitive cost of the**

**replacement commercial product had coerced them into outlawry**

**with their unchanged medical need tided over while awaiting**

**court developments by their now-illegal stock. Could the Court**

**really believe that upon Health Canada's command, half the**

**24,000 patients who did not renew had been miraculously**

**healed, Halleluiah, and now no longer needed any supply? that**

**it was now safe and just to cut off 12,000 of Canada's sickest**

**qualified patients permanently from any re-supply?**

**18. Robert Roy's ATP expired on Mar 18 2014, the very day of**

**the Allard hearing. Had Judge Manson ruled that day, Roy's ATP**

**would have been extended! But the judge taking only 3 days to**

**write his decision resulted in Robert Roy no longer being**

**deemed medically needy! Had the judge not taken the extra**

**time, Robert Roy would still be exempted! Roy was Left Out**

**with no more access nor continuing supply due wholly to Judge**

**Manson's unfortunate 3-day delay.**

**19. It is submitted Robert Roy had as much a valid medical**

**need on the day after as on the day of the hearing! There was**

**no Halleluiah moment! Though indirectly preventing resumption**

**of Robert Roy's re-supply may seem less damnable than directly**

**cutting off his supply, the end result is the same.**

**20. Stephen Burrows cut his tumor in half but having been Left**

**Out, may no longer lawfully continue his treatment. His access**

**wasn't cut off, he was just coerced to stop growing and then**

**not allowed to resume. David Shea succumbed to his cancer**

**while his action for exemption was stayed below. There is the**

**probability more of the thousands of patients who were**

**deprived of access to their prescribed medication have**

**similarly perished or suffered irreparable harm in silent**

**anonymity.**

**21. But just how much is the viability of the program actually**

**unduly impacted by a mere 25,000 self-producers among millions**

**of potential cannabis users in Canada? That's 1% or 2% of the**

**MMPR market at most. It wasn't worth the sacrifice to deprive**

**12,000 patients of their supply for hardly any extra viability**

**of the MMPR.**

**b) Medical need determined by permit changes**

**22. The Court of Appeal ordered that the repeal of the MMAR**

**with no infrastructure remaining to amend Hebert's permit be**

**addressed. Justice Manson refused to reconsider his ruling**

**explaining that the practical implications of a repealed MMAR**

**precluded amending old permits. If a patient's moves, his**

**permit can't. If his Designated Grower dies, his exemption**

**dies with him. Again, there are no reasons why amending**

**permits should occasion a change in medical need nor present**

**Health Canada with so insurmountable practical implications**

**that it is more convenient to deprive the patients of their**

**permits.**

**23. Just what are the practical implications of extending the**

**Health Canada MMAR Amendments Bureau while laying off the rest**

**of the staff? Retaining some staff to process the odd permit**

**change seems a bureaucratic mole-hill rather than the mountain**

**of red-tape the court deemed too much of an inconvenience for**

**Health Canada to surmount compared to the simply depriving the**

**patients of permits for their medicinal supply. Besides, the**

**Ministry of Transport updates permits in real time.**

**24. Making non-medical reasons like expiry dates and permit**

**changes determinative of medical need allows some patients to**

**be deprived. Since they couldn't deprive all patients to cause**

**a complete catastrophe, expiry dates allowed a partial**

**catastrophe that cut out the maximum number of past patients**

**while no permit changes continues the catastrophe that cuts**

**out the maximum number of patients from now on. Not all are**

**cut off from their medication, only as many as possible!**

**25. Having a treatment determined by the state of one's permit**

**and not on the state of one's health is not a medical decision**

**though it has the same effect as if the doctor had cut off**

**their prescriptions. Since the dictionary defines "viable:**

**capable of living; Viability: capacity to live, it would seem**

**that rather than the viability of the MMPR program, the viability of the patient should have been the court's major**

**concern.**

**2) 150-GRAM CAP FAILS TO CONSIDER HIGH-DOSAGE PATIENTS**

**26. Given my current prescription, the 150-gram possession**

**limit too severely limits me in my life. How then can Exemptee**

**Michael Pearce prescribed 260 grams/day "live" with the 150-**

**gram possession cap? Having no highly dosed patients among the**

**Allard Plaintiffs meant no one has been hurt enough by that**

**limit to raise the plea for immediate relief.**

**27. The 150-gram cap has no bearing on market viability of the**

**MMPR nor any practical implications; it only bears on the**

**increased inconvenience of the patients!**

**28. And though Justice Manson based his 150-gram possession**

**monthly cap on Health Canada's estimated average use of 1-3**

**grams per day, in the same decision Justice Manson cites an**

**actual average prescribed dosage of 17.7 grams/day. A 540**

**gram cap might be the more accurate average number.**

**29. If the Allard Action is dismissed on Feb 23 2015 with the**

**interim Order, it could leave everyone cut off. Applicant**

**seeks expeditious relief from the Court of Appeal lest the**

**worst happen below.**

**PART IV - ORDER SOUGHT**

**Applicant seeks an Order that:**

**1) the time be extended to file the Notice of Appeal by a**

**class member affected by Federal Court Justice Manson's Dec 30**

**2014 Amended Order;**

**2) Applicant's MMAR permits be deemed amended pursuant to**

**changes described in Applicant's Affidavit;.**

**3) Applicant's possession and shipping limit be returned to 30**

**times Applicant's personal daily dosage.**

**Dated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2015.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant's Signature:**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Tel/fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**AUTHORITIES**

**No Authorities relied on**

**REGULATIONS CITED**

**No regulations cited.**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**APPLICANT'S MEMORANDUM**

**For the Applicant**

**File No: \_\_\_\_\_\_\_\_\_**

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**RECORD OF MOTION**

**For the Applicant:**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Tel/fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**