

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

FEDERAL COURT

Between:

\_\_\_\_\_

Plaintiff

AND

HER MAJESTY THE QUEEN

Defendant

STATEMENT OF CLAIM

(Pursuant to S.48 of the Federal Court Act)

FACTS

1. The Plaintiff claims financial remedy for violations of rights pursuant to S.24(1) of the Charter of Rights and Freedoms as a patient who had established medical need by obtaining an MMAR permit to possess and produce marijuana seeking financial remedy for being ordered shut down by the Marijuana for Medical Purposes Regulations declared unconstitutional in Allard v. HMQ enacted in bad faith. Plaintiff seeks damages of \$ \_\_\_\_\_ for loss of patient's marihuana, plants and production.

THE PARTIES

2. The Plaintiff was exempted to use marijuana under Health Canada Authorization Number: \_\_\_\_\_ when he was ordered to shut down his garden, destroy his stored supply and provide proof of purchase from a Licensed Producer to maintain his exempted status.

3. The Defendant, Her Majesty the Queen in Right of Canada, as represented by the Attorney General of Canada, is named as the representative of the Federal Government of Canada and the Minister of Health for Canada who is the Minister responsible for Health Canada and certain aspects of the Controlled Drugs and Substances Act including the Narcotic Control Regulations, the Marihuana Medical Access Regulations and program and the Marihuana for Medical Purposes Regulations and program.

#### BACKGROUND

4. Under the MMPR legislation, Plaintiff was ordered to

- 1) shut down his production facility,
- 2) destroy all saved medicine, and
- 3) retain exemption by proof of Purchase from Licensed Producer.

5. On Feb 24 2016, the decision in Allard v. HMQ [2016] declared the MMPR Regime entirely unconstitutional, such declaration suspended to Aug 24 2016 before taking effect. The evidence in Allard showed that the MMPR had been enacted based upon testimony about the threat of fires from legal grow-ops when there had been no fires, zero.

6. The evidence further showed how far off the 18 gram/day daily dosage prescribed by Canadian doctors the Health Canada surveys showing 1-3 gram/day average were from reality making it a virtual statistical impossibility to have result in all outliers so far off the true mean.

8. Such unconstitutional legislation enacted on false premises in such bad faith caused the Plaintiff to suffer damages.

RELIEF SOUGHT

9. Plaintiff claims under Charter S.24(1) for losses

Grams destroyed: \_\_\_\_\_ @\$15/gram = \$ \_\_\_\_\_

Plants destroyed: \_\_\_\_\_ @\$1,000/plant = \$ \_\_\_\_\_

Storage and plant number from ATP

Production site equity lost = \$ \_\_\_\_\_

Whatever you lost in your grow-op

Prescription value lost during shut-down

G/d \_\_\_\_\_ x \$14 cost difference x \_\_\_\_\_ days = \$ \_\_\_\_\_

Presuming \$1/gram cost of production

Total damages claimed: = \$ \_\_\_\_\_

The Plaintiff proposes this action be tried in the City of \_\_\_\_\_, Province of \_\_\_\_\_.

Dated at \_\_\_\_\_ on \_\_\_\_\_ 2016.

\_\_\_\_\_  
Plaintiff Signature

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

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

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

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

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

FEDERAL COURT

BETWEEN:

\_\_\_\_\_  
Plaintiff

and

Her Majesty The Queen  
Defendant

STATEMENT OF CLAIM  
(Pursuant to S.48 of  
the Federal Court Act)

For the Plaintiff:

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

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

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

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