

File No: _____

FEDERAL COURT OF APPEAL

BETWEEN:

Appellant

and

HER MAJESTY THE QUEEN

Respondent

NOTICE OF APPEAL

Pursuant to Rule 27.(1)(c)

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears on the following page.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court directs otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at

_____.

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341 prescribed by the Federal Courts Rules and serve it on the appellant's solicitor, or where the appellant is self-represented, on the appellant, WITHIN 10 DAYS of being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the order appealed from, you must serve and file a notice of cross-appeal in Form 341 prescribed by the Federal Courts Rules instead of serving and filing a notice of appearance.

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 OPPOSE THIS APPEAL, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Date: _____

Issued by: _____

(Registry Officer)

Address of local office: _____

TO: Attorney General for Canada

APPEAL

1. THE APPELLANT APPEALS to the Federal Court of Appeal from the July 9 2014 Order of Federal Court Justice Michael Phelan amending the June 4 Order:

THE COURT ORDERS THAT:

1. All Court files listed in Schedule "A" are stayed until the Court's decision on the merits (and any appeals therefrom) of Allard for the reasons described in the May 7 order. The claimants in these files are entitled to the benefit of the Allard Injunction;
2. All Court files listed in Schedule "B" are stayed until the Court's decision on the merits (and any appeals therefrom) of Allard for the reasons described in the May 7 order. The claimants in these files are not entitled to the benefit of the Allard Injunction;

2. In his original June 4 2014 reasons:

[28] In addition, the motions materials are inadequate to grant any relief. Although the motion record contains an affidavit portion which contains different degrees of personal information, each fails to plead sufficient evidence regarding the claimant's personal circumstances to warrant any relief. While some claimants have indicated an ATP permit number, most have failed to provide a copy of that permit or to indicate whether it was relevant on the relevant dates...

THE APPELLANT ASKS that the Court overturn the Order:

A) dismissing motions to abandon the Allard communalities;

B) staying Plaintiff's Action for 4/26 communalities to the Allard violations alleged;

C) deeming Plaintiff's Affidavit of Medical Need as insufficient evidence to warrant the relief sought.

THE GROUNDS are that the learned judge erred in:

A) refusing motions to abandon the Allard Communalities; granting the deletion of the communalities could have mooted the stay and allowed quick access to medical relief. There would be no reason for a stay due to substantial similarity when there are zero communalities with the Allard Claim.

B) staying all Actions for those Allard communalities:

1) has kept the need for the stay of medications that condemns some to an earlier death; and

2) when resolving the 4 trivial Allard communalities out of 26 more serious unconstitutional limitations raised by Plaintiffs does not "substantially narrow the issues;" and

3) has prevented even Appellants who benefit of the extension of the MMAR under the Allard Injunction from still seeking MMAR Repeal for its unconstitutional limitations alleged in the Statement of Claim which the Allard Coalition Against MMAR Repeal do not. The Allard challenge to the MMAR is completely unsubstantially similar to Plaintiff's

challenge to the MMAR and most often completely substantially dissimilar. Plaintiff Ray Turmel T-517-14 faces mandatory minimum for growing too many plants toward his 11 pound storage limit while having only 4 pounds stored at the time faces and must challenge the MMAR which the Allard action does not.

C) dismissing all Motions for Interim Exemptions for Personal Medical Use pending trial of their stayed Actions for Affidavits that showed "insufficiently evidence" of their medical need for marijuana which condemns some Plaintiffs to an earlier death.

Dated at _____ on _____ 2014.

Appellant Signature

Name: _____

Address: _____

Tel/fax: _____

Email: _____

File No: _____

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Appellant

and

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Respondent

NOTICE OF APPEAL

For the Appellant:

Name: _____

Address: _____

Tel/fax: _____

Email: _____