Federal Court

Cour fédérale

Date: 20220610

Docket: T-1404-20

Citation: 2022 FC 848

Ottawa, Ontario, June 10, 2022

PRESENT: The Hon Mr. Justice Henry S. Brown

BETWEEN:

DALE RICHARDSON

Plaintiff

and

SEVENTH-DAY ADVENTIST CHURCH, CIVILIAN REVIEW AND COMPLAINTS COMMISSION ("CRCC"), GRAND LODGE OF SASKATCHEWAN, COURT OF APPEAL FOR SASKATCHEWAN, J.A. CALDWELL, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. CUSTOMS BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, CORECIVIC, DEREK ALLCHURCH, ROYAL CANADIAN MOUNTED POLICE, CONSTABLE BURTON ROY, BATTLEFORDS SEVENTH-DAY ADVENTIST CHURCH, JAMES KWON, MAZEL HOLM, GARY LUND, DAWN LUND, CIPRIAN BOLAH, JEANNIE JOHNSON, MANITOBA-SASKATCHEWAN CONFERENCE, MICHAEL COLLINS, MATRIX LAW GROUP, CLIFFORD HOLM, PATRICIA J. MEIKLEJOHN, CHANTELLE THOMPSON, JENNIFER SCHMIDT, MARK CLEMENTS, CHAD GARTNER, BRAD APPEL, IAN MCARTHUR, BRYCE BOHUN, KATHY IRWIN, JASON PANCHYSHYN, CARY RANSOME, SASKATCHEWAN HEALTH AUTHORITY, DR. ALABI, RIKKI MORRISSON, CORA SWERID, DR. ELEKWEM, DR. SUNDAY, COURT OF QUEEN'S BENCH FOR SASKATCHEWAN, JILL COOK, GLEN METIVER, JUSTICE R.W. ELSON, JUSTICE CROOKS, OWZW LAWYERS LLP, VIRGIL A. THOMSON, PROVINCIAL COURT OF SASKATCHEWAN, HONOURABLE JUDGE M. PELLETIER, RAYMOND HEBERT, LINDA HEBERT, EMI HOLM, CHAR BLAIR, COMMUNITY FUTURES, LISA CIMMER AND KIMBERLEY RICHARDSON

Defendants

AMENDED JUDGMENT AND REASONS

I. Nature of the matter

[1] This is a motion brought on behalf of the Defendants, the Saskatchewan Health Authority and Cora Swerid, hereinafter referred to collectively as "SHA", having obtained consent of the Attorney General of Canada [AGC], for an Order pursuant to section 40 of the *Federal Courts Act*, RSC 1985, c F-7 [*Act*] [section 40 Motion]. The Plaintiff, Dale Richardson, is a self-represented litigant asserting claims on behalf of himself, his company, DSR Karis Consulting Inc., and his daughter, Kaysha Dery. The AGC is a party by virtue of it having given its consent to the bringing of this motion as required by subsection 40(2) of the *Act*.

[2] The following groups of Defendants made written and oral submissions on this motion requesting the same relief as SHA:

1) Counsel Chantelle E. Eisner for Saskatchewan Health Authority and Cora Swerid;

2) Counsel Lindsay Oliver for the Chantelle Thompson, Jennifer Schmidt, Mark Clements, Chad Gartner, Brad Appel, Ian McArthur, Bryce Bohun, Kathy Irwin, Jason Panchyshyn, Cary Ransome, OWZW Lawyers LLP and Virgil A. Thomson;

3) Counsel Annie M. Alport for the Seventh-day Adventist Church, the Battlefords Seventh-day Adventist Church, the Manitoba-Saskatchewan Conference, Matrix Law Group, James Kwon, Mazel Holm, Gary Lund, Dawn Lund, Ciprian Bolah, Jeannie Johnson, Michael Collins, Clifford Holm, Patricia Meiklejohn and Kimberley Richardson;

4) Counsel Justin Stevenson for Jill Cook, Glen Metivier, the Honourable Justice M. Pelletier, Emi Holm, and Char Blais;

5) Heather Liang, QC for the Honourable Justice Caldwell and the Honourable Justice Crooks;

6) Counsels Marie Stack and Laura Sayer for the Honourable Justice R.W. Elson;

7) Counsel Jessica Karam for the Attorney General of Canada and the Royal Canadian Mounted Police.

[3] I note the Royal Canadian Mounted Police [RCMP] is not named as a Defendant in T-1404-21, however, it is named in another matter brought in the Federal Court by the same Plaintiff Dale Richardson, T-1367-20. I note this because of the Reasons of the Federal Court of Appeal in *Canada (Attorney General) v Fabrikant,* 2019 FCA 198 [per Stratas JA] at paras 44-47 [*Fabrikant*].

[4] The motion as proposed to be amended by SHA seeks:

> A. An Order that the Plaintiff, Dale Richardson ~~(DSR Karis Consulting Inc. and Robert Cannon),~~ is a vexatious litigant within the meaning of section 40(1) of the *Federal Courts Act*, and cannot institute any further actions in the Federal Court without leave of the Court;
>
> B. An Order prohibiting all litigation proxies from representing or otherwise conducting litigation on behalf of the Plaintiff, Dale Richardson, or on behalf of his corporation, DRS Karis Consulting Inc., without leave of the Court;
>
> C. An Order for costs against the Plaintiff to SHA and Swerid; and,
>
> D. Such further relief as counsel may advise and this Honourable Court may find just and expedient.

[5] The grounds for the Motion as proposed to be amended are:

> A. In the past year, the Plaintiff, his company DSR Karis Consulting Inc. and Robert Cannon, and others (the Plaintiff's "agents" and/or litigation proxies) have commenced numerous duplicative and meritless proceedings against justice system participants and other persons or entities they disagree with. Each

> of these actions have brought with them multiple, needless filings and lengthy, incomprehensible affidavits and submissions on behalf of the Plaintiff and/or his agents. The claims alleged in this action are simply a continuation of these frivolous claims.
>
> B. It is necessary to limit the Plaintiff's unfettered access to this Court.
>
> C. An order under section 40(1) will reasonably prevent the Plaintiff from issuing limitless vexatious claims which consume administrative, judicial, and defendant resources.

[6] In respect of this proposed amendment, SHA relied on *Canada (Attorney General) v Fabrikant*, 2019 FCA 198. There, Justice Stratas JA discusses the use of "litigation proxies" and the need for these to be restrained by vexatious litigant orders:

> [45] In cases such as this, a vexatious litigant order should try to do the following:
>
> - Bar vexatious litigants from litigating themselves, litigating through proxies, and assisting others with their litigation.
> - Rule on the issue whether the vexatious litigant's pending cases should be discontinued; if so, describe the manner in which they may be resurrected and continued.
> - Prevent the Registry from spending time on unnecessary communications and worthless filings.
> - Permit access to the Court by leave, and only in the narrow circumstances permitted by law where access is necessary and the respondent has respected the procedural rules and previous court orders; in such cases, ensure that interested persons have the opportunity to make submissions.
> - Empower the Registry to take quick and administratively simple steps to protect

> itself, the Court and other litigants from vexatious behavior.
>
> - Preserve the Court's powers to act further, when necessary, to adjust the vexatious litigant order, but only in accordance with procedural fairness.
>
> - Ensure that other judgments, orders and directions, to the extent not inconsistent with the vexatious litigant order, remain in effect and can be enforced.
>
> [46] Trying to accomplish these objectives in a single judgment or order can be challenging and time-consuming, especially if one is drafting from scratch. Experience shows that some vexatious litigants will do their best to get around vexatious litigant orders: see, *e.g., Virgo v. Canada (Attorney General)*, 2019 FCA 167. In its vexatious litigant order, the Court must anticipate and address every illegitimate avenue. And the Court's ability to strengthen its order when necessary and to punish non-compliance—always in accordance with procedural fairness rights—must be preserved.

[7] The Motion to Amend was filed on Friday May 27, 2022. After that the Plaintiff filed an email response, which in my view was not responsive, with some 1,400 pages of attachments on Sunday, May 29, 2022. The hearing was scheduled to start at 10:30 AM Ottawa time (8:30 AM Saskatchewan time) on Monday the 30th. There was no opposition to the Motion to Amend given the Plaintiff decided not to appear at the hearing, a decision I find was made as part of the Plaintiff's vexatious litigant strategy. It was supported by all Defendants who appeared at the hearing. I am therefore granting the amendment given it is entirely in accord with the Reasons for Judgment of Stratas JA in *Fabrikant*.

[8] I am also granting the motion to declare the Plaintiff and his proxies vexatious litigants and will provide related relief as per *Fabrikant,* and as found in the Chief Justice's Order and

Reasons in *Birkich v Surveyor General,* 2021 FC 1278 [*Birkich*], and in these Reasons and Judgment.

II. Background

[9] As discussed below the Plaintiff has instituted some 40 or more proceedings including original proceedings, appeals and other filings in this Court and others over the last two years or so. There were six such pleadings identified when this vexatious litigant motion was instituted in September 2021; the balance were instituted between then and now. His pleadings are lengthy, prolix, rambling, sometimes incoherent, insulting, scandalous and repetitive among other things.

[10] Generally speaking, they entail claims against provincial and federal government entities in Canada, claims against judges of the provincial and Superior Courts in Canada, as well as claims against various Departments of the Government of the United States of America including agencies responsible for asylum claims. It seems his claims are motivated or triggered by a number of factors including: (1) the fact his wife successfully applied for and obtained Court order divorce and family law relief including custody of an infant child, and the dismissal of his subsequent application for *habeas corpus*; (2) the Plaintiff's alleges expertise in COVID-19 related matters and his unhappiness with his treatment in that regard by the SHA and others; (3) disputes with various private sector entities; (4) disputes with a credit union with respect to whose treatment of him the Plaintiff is unhappy; and (5) issues with his treatment by healthcare professionals. This is not exhaustive: his pleadings also contain references to copyright breach respecting a work he allegedly authored, references and accusations relating to alleged child predators, allegations against various and sundry Defendants and others of treason, wrongful

detention, torture, inhumane treatment, racism, misogyny, corruption, and many references to terrorism including Masonic Terrorism. He references claims for asylum in the US, and may have made claims in the International Criminal Court, and the Supreme Court of the United States. Notably, he was also made the subject of an involuntary mental health detention and 30 day assessment by provincial Court Order.

[11] The Defendants include judges who have ruled against him both of provincial and Superior Courts, registry staff of various Courts, lawyers who have acted or who are associated with those opposing his allegations, and healthcare workers who have attempted to assist him with what appear to be his challenges. His *modus operandi* seems to be to add to the list of Defendants those who have most recently found against him or with whom he is unhappy, and to do so in successive rounds of litigation.

[12] At the present time the pleadings consist of the Plaintiff's Statement of Claim and two Statements of Defence.

[13] The following summary is taken from Justice Rochester's Order dated October 20, 2021 in which she dismissed the Plaintiff's Motion appealing a scheduling Order of Case Management Judge Tabib dated August 31, 2021:

> [5] On November 18, 2020, the Plaintiff filed a statement of claim [Statement of Claim] against fifty-seven (57) defendants [Defendants], including various departments of the United States' Government, several churches, the Royal Canadian Mounted Police, the Saskatchewan Health Authority, the Provincial Court of Saskatchewan, the Court of Queen's Bench for Saskatchewan, the Saskatchewan Court of Appeal, and several members of the judiciary.

[6] In the Statement of Claim, the Plaintiff seeks a declaration that the Grand Lodge of Saskatchewan, referred to as the Masons, “are responsible for the actions of all its agents, specifically those working as agents or servants of the Crown in” a number of listed entities including public health authorities, a provincial legislature, the RCMP, the Saskatchewan provincial Courts, the Federal Court and Federal Court of Appeal, the Canada Revenue Agency and the Department of Justice Canada. The Plaintiff also seeks a declaration that said Mason agents are working as agents or servants of the United States in its various listed governmental entities, “rogue agents of the Christian churches” “rogue agents of the banks”, and others.

[7] The Plaintiff further seeks a numbers of declarations that the various listed entities and individuals, which he defines as “Canadian Masonic Terrorists”, have, among other things, (i) “participated, concealed or otherwise instructed others in Canadian terrorist activity”, (ii) “engaged in the crime of apartheid”; (iii) “have engaged in genocide”; and (iv) “sanctioned torture committing crimes against humanity”. The Plaintiff seeks similar declarations with respect to entities he defines as “U.S. Masonic Conspirators” and “Transnational Masonic Terrorists”.

[8] The Plaintiff seeks numerous declarations that he was coerced, sanctioned, punished, tortured, and affected by systemic oppression. Numerous allegations are also made in relation to alleged crimes by “the Deep State and the Deep Church”. Among the relief claimed by the Plaintiff is a declaration “that the Defendants are liable to the Plaintiff for the damages caused by its breach of constitutional, statutory, treaties, and common law duties, and that the Attorney General shall be responsible for forfeiting the Deep State and Deep Churchs’ property and thereby compensating the Plaintiff…” and pecuniary damages in the amount of $1,000,000.

[9] As noted above, this matter is case managed by Prothonotary Tabib. In the time since the Statement of Claim was filed, there have been numerous motions and informal requests filed by the Parties, including a motion for injunctive relief by the Plaintiff. The motion for injunctive relief was initially scheduled for April 29, 2021, however the Plaintiff called the Registry on the day prior to the hearing to advise that he had entered the United States in order to seek asylum and was being held at a detention centre. Consequently, the motion was adjourned. Following the adjournment, certain Defendants wrote to the Court concerning the rescheduling of the motion for injunctive relief and requested, among other things, that a case management conference be

> convened in order to set a schedule for motions to strike the action and the motion have the Plaintiff declared a vexatious litigant.
>
> [10] The motion for injunctive relief by the Plaintiff was heard on June 10, 2021 by videoconference. The Plaintiff was present and participated. The motion was denied on June 15, 2021. A Notice of Appeal of the motion for injunctive relief was filed in the Court of Appeal on August 30, 2021.
>
> [11] Prothonotary Tabib held a case management conference on August 31, 2021 by videoconference in order to schedule the next steps in the proceedings. The Plaintiff participated in the case management conference. As appears from the minutes of hearing, during the case management conference certain Defendants enquired about having the motion to strike and the motion to declare the Plaintiff a vexatious litigant heard together. The Court raised a concern that if all the motions were brought together, it may be overwhelming for the Plaintiff as a self-represented litigant. The Plaintiff informed the Court that he expected to be leaving the facility in which he was detained in the next one to six months. The Plaintiff further informed the Court that he went to the United States to seek protection against torture. The balance of the case management conference was devoted to scheduling the deadlines for the various steps to be taken prior to fixing a date for the hearing of the motion for a declaration pursuant to s. 40 of the *Federal Courts Act* (Vexatious Proceedings).
>
> [12] Prothonotary Tabib issued the Order following the case management conference.
>
> [13] According to the Plaintiff's Motion Record, the Plaintiff was deported by the United States Department of Homeland Security to Canada by plane on September 1, 2021. His computers and cell phone were returned to him from the United States on September 18, 2021.

[14] On September 29, 2021, the Plaintiff appealed the Order of Case Management Judge Tabib dated August 31, 2021, seeking the following relief:

> A. An Order to extent the time for appeal for an interlocutory Order issued by Prothonotary Mireille Tabib on August 31, 2021;
>
> B. An Order granting the appeal of the Order of Prothonotary Mireille Tabib dated August 31, 2021; and

> C. Any other Order the Court thinks is just.

[15] On October 20, 2021, Justice Rochester dismissed this appeal and Ordered:

> 1. The Plaintiff's appeal under Rule 51 of the *Federal Courts Rules* from the Prothonotary Tabib's Order dated August 31, 2021, is dismissed;
>
> 2. No costs are awarded.

[16] On October 26, 2021, following a case management conference held on October 25, 2021, Case Management Judge Tabib issued a second scheduling Order: 1) setting out the deadlines for next steps to be taken prior to fixing a date for the hearing of the Defendants' section 40 Motion; 2) granting a motion by one of the Defendants for leave to intervene in the section 40 Motion on the basis this individual is already a named defendant in the Action; and 3) ordering all other proceedings in this Action remain suspended until further order or direction of the Court.

[17] On October 29, 2021, the Plaintiff appealed the Order of Case Management Judge Tabib dated October 26, 2021, seeking the following relief:

> A. An order to set aside the orders of Prothonotary Tabib dated October 26, 2021;
>
> B. An order to set a special sitting date to determine the torture of the Plaintiff by the rogue agents of the Department of Homeland Security on the merits of the matter and any other action that constitutes complicity to same;
>
> C. An order to set a special sitting date to hear constitutional questions arising from T-1404-20;
>
> D. An order to permit constitutional questions to be filed regardless of any rule contravention due to the imperative public

> nature of treason and the extreme prejudice the Plaintiff has been subjected to;
>
> E. An order to stop the Case Management until the determination of a thorough, impartial investigation based on the merits alone.

[18] On November 30, 2021, Justice Rochester dismissed this appeal and Ordered:

> 1. The Plaintiff's appeal under Rule 51 of the *Federal Courts Rules* from Prothonotary Tabib's Order dated October 26, 2021, is dismissed;
>
> 2. The Plaintiff's request for orders setting special sitting dates to (a) "to determine the torture of the Plaintiff by the rogue agents of the Department of Homeland Security" and (b) constitutional questions arising from this action, are denied;
>
> 3. The Plaintiff's request for an order to permit constitutional questions to be filed is denied;
>
> 4. The Plaintiff's request to cease case management is denied; and
>
> 5. No costs are awarded.

[19] The Plaintiff filed Notices of Appeal for Justice Rochester's Orders dated October 20, 2021 and November 30, 2021 in the Federal Court of Appeal.

[20] On December 15, 2021, by specific direction of the Chief Justice, the Court's Judicial Administrator by Order set the hearing of this section 40 Motion to take place "*peremptorily* before this Court by Zoom videoconference, on Tuesday, the 1st day of March, 2022, at 9:30 (Eastern) in the forenoon for a duration of one (1) day" [emphasis in original].

[21] On January 18, 2022, the Plaintiff appealed the Order of the Judicial Administrator made at the direction of Chief Justice dated December 15, 2021, to the Federal Court of Appeal.

[22] Since then, the Plaintiff has brought numerous further proceedings before the courts in Saskatchewan, Alberta, and the Supreme Court of Canada. Very recently, for example, the Court was obliged to adjourn the hearing intended for March 1, 2022, to May 30, 2022, and did so on a peremptory basis. Notwithstanding it had then been re-set down on a peremptory basis, on April 1, 2022 the Plaintiff moved to adjourn the re-scheduled hearing, which motion in my capacity as Hearing Judge I dismissed by Order dated April 27, 2022 because the evidence did not support his request. This Order was not appealed by the Plaintiff.

A. *The Plaintiff did not appear at the hearing on May 30, 2022*

[23] As noted, the hearing of this matter was rescheduled by the Judicial Administrator to proceed peremptorily on May 30, 2022. The Plaintiff knew of this because, as indicated, he unsuccessfully moved to have it adjourned. On Monday, May 30, 2022, all counsel were present – but the Plaintiff did not attend. He provided no explanation for his non-attendance. The Court and all other parties waited the traditional 10 or 15 minutes to see if he was simply late or delayed. The Court then proceeded to deal in his absence with the motion to declare the Plaintiff and his litigation proxies vexatious litigants. The hearing lasted two and a half hours. The Plaintiff was not present at the beginning, nor at the end or at any time during the submissions by the Defendants.

[24] In the absence of any attempt to contact the Court then or since, and without any effort to explain his non-attendance, and given his unsuccessful attempt to adjourn the hearing and the fact he did not appeal its dismissal, I conclude his non-attendance was deliberate, an affront to this Court, and another part of the Plaintiff's vexatious litigation strategy.

III. Issues

[25] The issues are:

a) Should the Plaintiff and his litigation proxies be declared vexatious litigants?

b) Should the Court's Judgment restrain the only the Plaintiff or the Plaintiff and his litigation proxies be they counsel or lay personnel?

IV. The Law

[26] Section 40(1) of the *Act* provides:

Vexatious proceedings	**Poursuites vexatoires**
40 (1) If the Federal Court of Appeal or the Federal Court is satisfied, on application, that a person has persistently instituted vexatious proceedings or has conducted a proceeding in a vexatious manner, it may order that no further proceedings be instituted by the person in that court or that a proceeding previously instituted by the person in that court not be continued, except by leave of that court.	**40 (1)** La Cour d'appel fédérale ou la Cour fédérale, selon le cas, peut, si elle est convaincue par suite d'une requête qu'une personne a de façon persistante introduit des instances vexatoires devant elle ou y a agi de façon vexatoire au cours d'une instance, lui interdire d'engager d'autres instances devant elle ou de continuer devant elle une instance déjà engagée, sauf avec son autorisation.

[27] In *Canada v Olumide*, 2017 FCA 42 [*Olumide*] Justice Statas JA provides guidance on the interpretation of "vexatious" within the scope of relief sought pursuant to section 40 of the *Act*:

> [31] Vexatiousness is a concept that draws its meaning mainly from the purposes of section 40. Where regulation of the litigant's continued access to the courts under section 40 is supported by the purposes of section 40, relief should be granted. Put another way, where continued unrestricted access of a litigant to the courts undermines the purposes of section 40, relief should be granted. In my view, all of this Court's cases on section 40 are consistent with this principle.
>
> [32] In defining "vexatious," it is best not to be precise. Vexatiousness comes in all shapes and sizes. Sometimes it is the number of meritless proceedings and motions or the reassertion of proceedings and motions that have already been determined. Sometimes it is the litigant's purpose, often revealed by the parties sued, the nature of the allegations against them and the language used. Sometimes it is the manner in which proceedings and motions are prosecuted, such as multiple, needless filings, prolix, incomprehensible or intemperate affidavits and submissions, and the harassment or victimization of opposing parties.
>
> [33] Many vexatious litigants pursue unacceptable purposes and litigate to cause harm. But some are different: some have good intentions and mean no harm. Nevertheless, they too can be declared vexatious if they litigate in a way that implicates section 40's purposes: see, *e.g.*, *Olympia Interiors* (F.C. and F.C.A.), above.
>
> [34] Some cases identify certain "hallmarks" of vexatious litigants or certain badges of vexatiousness: see, for example, *Olumide v. Canada*, 2016 FC 1106 at paras. 9-10, where the Federal Court granted relief under section 40 against the respondent; and see paragraph 32 above. As long as the purposes of section 40 are kept front of mind and the hallmarks or badges are taken only as non-binding *indicia* of vexatiousness, they can be quite useful.

[28] Justice Stratas JA in *Olumide* further provided helpful guidance on the rationale underlying section 40:

> [17] Section 40 reflects the fact that the Federal Courts are community property that exists to serve everyone, not a private resource that can [sic] commandeered in damaging ways to advance the interests of one.

[18] As community property, courts allow unrestricted access by default: anyone with standing can start a proceeding. But those who misuse unrestricted access in a damaging way must be restrained. In this way, courts are no different from other community properties like public parks, libraries, community halls and museums.

[19] The Federal Courts have finite resources that cannot be squandered. Every moment devoted to a vexatious litigant is a moment unavailable to a deserving litigant. The unrestricted access to courts by those whose access should be restricted affects the access of others who need and deserve it. Inaction on the former damages the latter.

[20] This isn't just a zero-sum game where a single vexatious litigant injures a single innocent litigant. A single vexatious litigant gobbles up scarce judicial and registry resources, injuring tens or more innocent litigants. The injury shows itself in many ways: to name a few, a reduced ability on the part of the registry to assist well-intentioned but needy self-represented litigants, a reduced ability of the court to manage proceedings needing management, and delays for all litigants in getting hearings, directions, orders, judgments and reasons.

[21] On occasion, innocent parties, some of whom have few resources, find themselves on the receiving end of unmeritorious proceedings brought by a vexatious litigant. They may be hurt most of all. True, the proceedings most likely will be struck on a motion, but probably only after the vexatious litigant brings multiple motions within the motion and even other motions too. In the meantime, the innocent party might be dragged before other courts in new proceedings, with even more motions, and motions within motions, and maybe even more.

[22] Section 40 is aimed at litigants who bring one or more proceedings that, whether intended or not, further improper purposes, such as inflicting damage or wreaking retribution upon the parties or the Court. Section 40 is also aimed at ungovernable litigants: those who flout procedural rules, ignore orders and directions of the Court, and relitigate previously-decided proceedings and motions.

[29] Justice Stratas JA goes further re the remedial scope of an order issued pursuant to section 40 of the *Act*:

> [27] But in characterizing section 40, care must be taken not to exaggerate it. A declaration that a litigant is vexatious does not bar the litigant's access to the courts. Rather, it only regulates the litigant's access to the courts: the litigant need only get leave before starting or continuing a proceeding.
>
> [28] In 2000, our Court put this well:
>
> > An order under subsection 40(1) does not put an end to a legal claim or the right to pursue a legal claim. Subsection 40(1) applies only to litigants who have used unrestricted access to the courts in a manner that is vexatious (as that term is understood in law), and the only legal effect of any order under subsection 40(1) is to ensure that the claims of such litigants are pursued in an orderly fashion, under a greater degree of Court supervision than applies to other litigants.
>
> (*Canada (Attorney General) v. Mishra*, [2000] F.C.A. no 1734, 101 A.C.W.S. (3d) 72.)
>
> [29] Seen in this way, section 40 is not so drastic. A litigant can still access the courts by bringing a proceeding but only if the Court grants leave. Faced with a request for leave, the Court must act judicially and promptly, considering the legal standards, the evidence filed in support of the granting of leave, and the purposes of section 40. The Court could well grant leave to a vexatious litigant who has a *bona fide* reason to assert a claim that is not frivolous and vexatious within the meaning of the case law on pleadings.

[30] I note as well Justice Russell confirmed in *Badawy v 1038482 Alberta Ltd. (IntelliView Technologies Inc.)*, 2019 FC 504 [*Badawy*] that "prime indicators of vexatious conduct include" the following, all of which I find exist in this case in relation to the Plaintiff:

> i) A propensity to re-litigate matters that have already been determined;

ii) The initiation of frivolous actions or motions;

iii) The making of unsubstantiated allegations of impropriety against the opposite party, legal counsel and/or the Court;

iv) A refusal to abide by rules and orders of the Court;

v) The use of scandalous language in pleadings or before the Court; and,

vi) The failure or refusal to pay costs in earlier proceedings and the failure to pursue litigation on a timely basis.

[31] In terms of dealing with litigation proxies, Justice Stratas JA stated the following in *Fabrikant*:

> [44] Different types of vexatious litigant orders can be made. Care must be taken to craft the order carefully to preserve the vexatious litigant's legitimate right to access the Court while protecting as much as possible the Court and litigants before it: see the purposes discussed in *Olumide* at paras. 17-34.
>
> [45] In cases such as this, a vexatious litigant order should try to do the following:
>
> - Bar vexatious litigants from litigating themselves, litigating through proxies, and assisting others with their litigation.
> - Rule on the issue whether the vexatious litigant's pending cases should be discontinued; if so, describe the manner in which they may be resurrected and continued.
> - Prevent the Registry from spending time on unnecessary communications and worthless filings.
> - Permit access to the Court by leave, and only in the narrow circumstances permitted by law where access is necessary and the respondent has respected the procedural rules and previous court orders; in such

cases, ensure that interested persons have the opportunity to make submissions.

- Empower the Registry to take quick and administratively simple steps to protect itself, the Court and other litigants from vexatious behavior.

- Preserve the Court's powers to act further, when necessary, to adjust the vexatious litigant order, but only in accordance with procedural fairness.

- Ensure that other judgments, orders and directions, to the extent not inconsistent with the vexatious litigant order, remain in effect and can be enforced.

[46] Trying to accomplish these objectives in a single judgment or order can be challenging and time-consuming, especially if one is drafting from scratch. Experience shows that some vexatious litigants will do their best to get around vexatious litigant orders: see, *e.g., Virgo v. Canada (Attorney General)*, 2019 FCA 167. In its vexatious litigant order, the Court must anticipate and address every illegitimate avenue. And the Court's ability to strengthen its order when necessary and to punish non-compliance—always in accordance with procedural fairness rights—must be preserved.

[47] As this is an application, a judgment rather than an order will be made. The legal text of the judgment is necessarily complicated. But for the respondent's benefit, the judgment will accomplish all of the purposes in paragraph 45 of these reasons. The bottom line is that the respondent's access to the Court and his communications with the Registry will be limited to the matters and proceedings described in paragraph 4(2) of the judgment.

[48] Useful techniques for addressing the challenges posed by vexatious litigants must be shared. In this regard, the Court wants to acknowledge the assistance it has received from the ground-breaking work in this area by other courts, particularly the Alberta Court of Queen's Bench: see, *e.g., Unrau v. National Dental Examining Board*, 2019 ABQB 283 (*per* Rooke A.C.J.).

V. Analysis

A. *Is Mr. Richardson a vexatious litigant?*

[32] SHA and counsel for six other groups of Defendants, submit the motion to have the Plaintiff and his litigation proxies declared vexatious litigants should be granted.

[33] I agree. In my view, the actions of the Plaintiff and his proxies and agents are "vexatious" as evidenced by the number of meritless proceedings commenced by them in the Saskatchewan and Albert Courts and in the Federal Court. In addition to this matter, the following are but some of the court actions initiated by the Plaintiff, by his company DSR Karis Consulting Inc., or his litigation proxies on his behalf:

i. FC T-1367-20 (pending)

ii. FC T-1115-20 (struck)

iii. QBG 921 of 2020 (SKQB)

iv. FC T-1403-20 (deemed abandoned by the Court on December 8, 2020)

v. FC T-1229-20 (struck without leave to amend)

vi. SCC File No. 39759 (leave to appeal dismissed with costs)

vii. CACV3708, *Cannon v Saskatchewan (Court of Queen's Bench)*, 2021 SKCA 77 (appeal dismissed with costs)

viii. FC T-1404-20, *Richardson v Seventh-day Adventist Church*, 2021 FC 609 (Justice Pentney Ordered on June 15, 2021 the Plaintiff's motion for an interlocutory injunction dismissed with costs)

[34] Furthermore, it is noted that vexatious litigant proceedings involving Mr. Richardson have been ongoing in Alberta and decisions have been reported as follows:

a) 2022 ABQB 235

b) 2022 ABQB 247

c) 2022 ABQB 274

d) 2022 ABQB 317

[35] There were more than two dozen additional proceedings including appeals, filings and submissions initiated by this Plaintiff between the time the original matters complained of in this section 40 Motion were identified in September, 2021 and the present time. They were referred to in the material and in oral submissions.

[36] These claims essentially raise the same issues and allegations, but generally with new defendants added to the list as each new claim is brought. Each of these actions has been brought within the last year and in my respectful view, none have been a proper use of the resources of the Court. These proceedings have all contained multiple, needless filings complete with incomprehensible and intemperate affidavits and submissions. The sheer number and nature of the parties continuously named by the Plaintiff and his litigation agents and proxies in the pleadings is further evidence of the need for restrictions on his ability to commence legal proceedings, all of which consume and in my view inexcusably waste valuable time of the Court, of counsel and of the parties.

[37] The Defendants submit, and I agree that without intervention of the Court, the Plaintiff and/or his proxies and agents will continue to bring frivolous court actions, wasting the resources

of this Court and the time and money of all involved. The Plaintiff's Claim is simply an addition to a long line of frivolous court actions.

[38] Counsel for SHA made submissions and the supporting submissions by counsel for six other groups of Defendants mirror the submissions by SHA, and are accepted by the Court.

[39] In particular, submissions by the Matrix Defendants highlighted examples for why each court actions listed above, initiated by the Plaintiff, by his company DSR Karis Consulting Inc., or on their behalf, constitute vexatious conduct.

[40] The Defendants, the Honourable Justice Caldwell JA of the Saskatchewan Court of Appeal and the Honourable Justice Crooks of the Saskatchewan Court of Queen's Bench, submit they are "in full agreement with the written representations made by the SHA and Swerid and the other defendants who have filed responding motion records." They note they are entitled to the protection of judicial immunity, and I agree, this is just another aspect of the Plaintiff's flawed vexations litigant strategy which is the issue before this Court.

[41] The ambit of judicial immunity was canvassed by the Federal Court of Appeal in *Taylor v Canada (Attorney General)*, [2003] 3 FC 298. Justice Sexton JA emphasizes the need for judicial immunity to allow judges to administer the law without constant fear of consequences:

> [25] Litigants turn to courts and judges to resolve difficult problems where all other means of resolving the dispute have failed. Consequently, as the United States Supreme Court held in *Bradley v. Fisher*,[24] courts are often asked to decide cases "involving not merely great pecuniary interests, but the liberty and character of the parties, and consequently exciting the deepest

feelings."[25] As that Court also noted, such litigation inevitably produces at least one losing party, who is likely to be disappointed with the result.

[26] Consider what might happen if judges could be regularly sued for decisions that stirred such disappointment. One potential consequence is that a certain end to disputes, one of the primary advantages of resolving disputes by resort to the courts, would never occur. If one action against a judge was dismissed by another judge, the second judge might well be added as a party to the action, and so on, and so on. This consequence was highlighted in *Bradley v. Fisher*, where Field J. commented that an appellate judge who decided that a judge of an inferior jurisdiction was protected by judicial immunity "would be subjected to a similar burden, as he in his turn might also be held amenable by the losing party."[26]

[27] Similarly, if judges could be sued by disappointed litigants for damages for allegedly erroneous decisions, every judge would be required to preserve "a complete record of all the evidence produced before him in every litigated case, and of the authorities cited and arguments presented, in order that he might be able to show to the judge before whom he might be summoned by the losing party . . . that he had decided as he did with judicial integrity."[27] If a suit was eventually begun against a judge, much of that judge's time and energy would then be devoted to defending the suit, rather than to his or her judicial work. Already scarce judicial resources would be lost, and court cases would take even longer to be heard and to be resolved.

[28] Finally, the most serious consequence of permitting judges to be sued for their decisions is that judicial independence would be severely compromised. If judges recognized that they could be brought to account for their decisions, their decisions might not be based on a dispassionate appreciation of the facts and law related to the dispute. Rather, they might be tempered by thoughts of which party would be more likely to bring an action if they were disappointed by the result, or by thoughts of whether a ground-breaking but just approach to a difficult legal problem might be later impugned in an action for damages against that judge, all of which would be raised by the mere threat of litigation. In Lord Denning's words, a judge would "turn the pages of his books with trembling fingers, asking himself: `If I do this, shall I be liable in damages?'"[28]

[29] Accordingly, the basis for judicial immunity is rooted in the need to protect the public, not in a need to protect judges. In other

> words, as Lord Denning explained in *Sirros v. Moore*, judicial immunity does not exist because a "judge has any privilege to make mistakes or to do wrong."[29] Rather, he held that judges should be free from actions for damages to permit judges to perform their duty "with complete independence and free from fear."[30] Similarly, in *Scott v. Stansfield*,[31] it was explained that judicial immunity is not meant to protect malicious or corrupt judges, but to protect the public:
>
> > It is essential in all courts that the judges who are appointed to administer the law should be permitted to administer it under the protection of the law independently and freely, without favour and without fear. This provision of the law is not for the protection or benefit of a malicious or corrupt judge, but for the benefit of the public, whose interest it is that the judges should be at liberty to exercise their functions with independence and without fear of consequences.[32]

[42] Respectfully, I agree with Justice Caldwell and Justice Crooks' submissions that without intervention of the Court, the Plaintiff and his litigation proxies and agents, will continue to bring frivolous and vexatious court actions against them, thus vexatiously interfering with their judicial duties and independence.

[43] The Defendant, the Honourable Justice Elson of the Saskatchewan Court of Queen's Bench, also made submissions regarding the Plaintiff and his proxies and agents' vexatious conduct, as well as submissions on judicial immunity. Justice Elson submits the well-established principle of judicial immunity "ensures that judges are at liberty to exercise their functions with independence and without fear of consequences: 'free in thought and independent in judgment'", citing to *Baryluk (Wyrd Sisters) v Campbell*, 2008 CanLII 55134 (ONSC) at para 25. I respectfully agree with Justice Elson's submissions that in addition to the present matter, the Plaintiff, or an agent or proxy of the Plaintiff, has brought or continued other legal proceedings

against Justice Elson and that "without the intervention of this Court, the Plaintiff and his agents will continue to bring frivolous legal proceedings and waste court resources."

[44] In addition, the Defendants Jill Cook, Glen Metivier, the Honourable Justice M. Pelletier of the Provincial Court of Saskatchewan, Emi Holm, and Char Blais further submit the Plaintiff's conduct demonstrates many of the hallmarks of vexatious behaviour described in *Badawy* and *Olumide* including the Plaintiff's demonstrated propensity to re-litigate matters. These Defendants submit:

> 19. All the actions and motions brought in the Federal and Saskatchewan Courts by the Plaintiff, DSR Karis Consulting Inc. and Robert Cannon that the Justice Defendants are aware of have been meritless and replete with scandalous language alleging torture, terrorism, extortion, fraud, and a "Deep State" and/or Free Mason conspiracy.
>
> 20. The Plaintiff also has a propensity to bring unsubstantiated allegations of impropriety against legal counsel, the judiciary, and other justice system participants. The Plaintiff has consistently targeted those within the justice system for suit when he has not obtained the results he desires. The following judges have been added to lawsuits when they have rendered decisions that have aggrieved the Plaintiff: Caldwell J.A., Elson J., Pelletier J., Crooks J., and Barnes J. Two examples of their alleged wrongdoing include:
>
> a. at paragraph 1(y) of the Claim, the Plaintiff alleges that Elson J. tortured the Plaintiff and his infant daughter and facilitated a terrorist attack.
>
> b. Robert Cannon's Factum at the Saskatchewan Court of Appeal simply states that "Justice Crooks is a terrorist" in its introduction (see: Exhibit "B" of the Affidavit of Pamela Heinrichs).
>
> 21. The Plaintiff has also included a number of lawyers and Local Registrars in his lawsuits including: Kathleen Christopherson, Jill Cook, Glen Metivier, Matrix Law Group, Clifford Holm, Patricia Meiklejohn, OZWZ Lawyers LLP, and Virgil Thomson.

> 22. The Justice Defendants respectfully submit that this Honourable Court should view the inclusion of all these individuals as attempts by the Plaintiff to harass, intimidate, and annoy justice system participants, which strongly warrants a finding that he is a vexatious litigant.

[45] Respectfully, I agree with the Defendants' submissions that the inclusion of these individuals (legal counsel, the judiciary, and other justice system participants) are attempts by the Plaintiff to "harass, intimidate, and annoy justice system participants" which strongly warrants a finding the Plaintiff is a vexatious litigant.

[46] The Plaintiff in response to the section 40 Motion submits, "it is impossible for the Defendant to be a vexatious litigant". However, the majority of his submissions argue matters that have already been decided by this Court and others, further evidencing his attempts to re-litigate matters before the Saskatchewan Courts, the Federal Court, and the Courts of the United States.

[47] Moreover, the Plaintiff has a propensity to bring unsubstantiated allegations of impropriety against parties and their counsel while using scandalous language as evidenced by his Statement of Claim (listing some examples amongst many) asking this Court for:

> • b) a Declaration that the belief of the SDA Church are in direct opposition to the beliefs of the Masons, specifically as follows without limitation:
>
> > i. the God of the SDA Church is in eternal conflict with the god of the Masons, Lucificer also known as Satan or the Devil; …
>
> • e) a Declaration that the Canadian Masonic Terrorists have engaged in the crime of apartheid at the acquiescence of the Crown in violation of the United Nations *International Convention on the*

> *Suppression and Punishment of the Crime of Apartheid, 1973* (hereinafter the “Apartheid Convention”) as a part of the foregoing Canadian terrorist activity; …
>
> • p) a Declaration that the Transnational Masonic Terrorists have coerced and punished the Plaintiff, its agents and affiliates torturing them in violation of the Torture Convention, for the following:
>
> > i. speaking out against violations of the Apartheid Convention in Saskatchewan and Canada with respect to the systemic racism which oppresses Black Canadians, Indigenous, Metis, and biraeials thereof, and
> >
> > ii. seeking to alleviate the systemic racism on behalf of DSR Karis Consulting Inc. through its business relationships with Battlefords Agency Tribal Chiefs Inc., Northwest College, and Saskatchewan Polytechnic to educate and employ Indigenous and Métis in the field of engineering. …
>
> • y) a Declaration that the Honourable R.W. Elson of the Court of Queen's Bench for Saskatchewan tortured the Plaintiff; his infant daughter and facilitated a terrorist attack on July 23rd, 2020, …
>
> • ac) a Declaration that the torture of the Plaintiff by masonic elements in the Court of Queen's Bench for Saskatchewan, which is part of the Deep State, was a result of his race, religion, his Indigenous daughter and the mismanagement of the COVID emergency; …

[48] Respectfully, I agree with the Defendants’ submission that without intervention of the Court, the Plaintiff and his agents and proxies, including but not limited to DSR Karis Consulting Inc. and Robert Cannon, will continue to bring frivolous court action; and they will continue to waste resources of the Court and the time and money of all parties involved. This is intolerable. The Plaintiff’s Claim is simply an addition to a long line of frivolous court actions, which strongly warrants a finding that he is a vexatious litigant.

[49] Therefore, I am persuaded by the record in this case the Plaintiff satisfies all of the conditions set out by Justice Russell in *Badawy.*

B. *Should the Court's Judgment restrain only the Plaintiff or the Plaintiff and his litigation proxies be they counsel or lay personnel?*

[50] This matter is specifically addressed by Justice Statas JA of the Federal Court of Appeal in *Fabrikant* at paras 44 to 48:

> [44] Different types of vexatious litigant orders can be made. Care must be taken to craft the order carefully to preserve the vexatious litigant's legitimate right to access the Court while protecting as much as possible the Court and litigants before it: see the purposes discussed in *Olumide* at paras. 17-34.
>
> [45] In cases such as this, a vexatious litigant order should try to do the following:
>
> - Bar vexatious litigants from litigating themselves, litigating through proxies, and assisting others with their litigation.
> - Rule on the issue whether the vexatious litigant's pending cases should be discontinued; if so, describe the manner in which they may be resurrected and continued.
> - Prevent the Registry from spending time on unnecessary communications and worthless filings.
> - Permit access to the Court by leave, and only in the narrow circumstances permitted by law where access is necessary and the respondent has respected the procedural rules and previous court orders; in such cases, ensure that interested persons have the opportunity to make submissions.
> - Empower the Registry to take quick and administratively simple steps to protect

> itself, the Court and other litigants from vexatious behavior.
>
> - Preserve the Court's powers to act further, when necessary, to adjust the vexatious litigant order, but only in accordance with procedural fairness.
>
> - Ensure that other judgments, orders and directions, to the extent not inconsistent with the vexatious litigant order, remain in effect and can be enforced.
>
> [46] Trying to accomplish these objectives in a single judgment or order can be challenging and time-consuming, especially if one is drafting from scratch. Experience shows that some vexatious litigants will do their best to get around vexatious litigant orders: see, *e.g., Virgo v. Canada (Attorney General)*, 2019 FCA 167. In its vexatious litigant order, the Court must anticipate and address every illegitimate avenue. And the Court's ability to strengthen its order when necessary and to punish non-compliance—always in accordance with procedural fairness rights—must be preserved.
>
> [47] As this is an application, a judgment rather than an order will be made. The legal text of the judgment is necessarily complicated. But for the respondent's benefit, the judgment will accomplish all of the purposes in paragraph 45 of these reasons. The bottom line is that the respondent's access to the Court and his communications with the Registry will be limited to the matters and proceedings described in paragraph 4(2) of the judgment.
>
> [48] Useful techniques for addressing the challenges posed by vexatious litigants must be shared. In this regard, the Court wants to acknowledge the assistance it has received from the ground-breaking work in this area by other courts, particularly the Alberta Court of Queen's Bench: see, *e.g., Unrau v. National Dental Examining Board*, 2019 ABQB 283 (*per* Rooke A.C.J.).

[51] On the record before me, I am persuaded that without judicial intervention the Plaintiff will continued to act vexatiously through the instrumentalities of lay personnel and perhaps even counsel alike.

[52] There is no point in making a vexatious litigant order without at the same time forbidding the vexatious litigant from circumventing the order by use of alter egos, proxies, agents, attorneys, representatives or others who replicate or repeat the same vexatious activity as this Plaintiff has, with its attendant harms to all others concerned. Such representatives cannot be placed higher than this Plaintiff given the Court's finding he is a vexatious litigant.

[53] In this connection I note I am barring counsel (that is lawyers, barristers and solicitors) from initiating actions for or on behalf of this vexatious Plaintiff, unless they first apply for and obtain leave of this Court in the same manner as the Plaintiff or any other proxy of his. This is deliberate. I see no reason why counsel should be allowed to act vexatiously anymore than this Plaintiff himself. Of course in a proper case, leave might be granted for counsel to proceed provided that counsel is not advancing matters which if advanced by the Plaintiff directly could be considered vexatious.

[54] Finally, as outlined by Justice Stratas JA in *Fabrikant*, I will also deal with other proceedings initiated by this Plaintiff, Dale Richardson, currently before the Federal Court. Once again I see no point in imposing the restraints of a vexatious litigant order on a plaintiff in this Court – as I am doing here – only to allow the same individual to proceed with impunity in other proceedings commenced in this Court. That could compel other Defendants to repeat what counsel in the case at bar, with the consent of the AGC, have succeeded in obtaining today, with the concomitant waste and expenditure of considerable time and money of all concerned.

[55] Therefore I am ordering, as per Justice Stratas JA in *Fabrikant* and Chief Justice in *Birkich* would, that such other cases are discontinued effective immediately. While two others (T-1115-20 and T-1229-20) have already been struck, Court File T-1367-20 is one other such case.

VI. Conclusion

[56] I find Dale Richardson's conduct satisfies the definition of "vexatiousness" that cannot be appropriately controlled through less onerous measures. In my view, Dale Richardson is a vexatious litigant. Related relief indicated above will also be granted in terms of his litigation proxies and the discontinuance of other proceedings.

VII. Costs

[57] With the exception of Justices Caldwell, Crooks and Elson, the Defendants who took part in this proceeding proposed that in the event the vexatious litigant application is successful, costs in the sum of $5,000 be awarded to each group of Defendants.

[58] The Defendants Justices Caldwell, Crooks and Elson are of the position that costs should follow the cause in the ordinary course, and leave the issue of costs to the discretion of the court.

[59] The Defendants propose that given the egregious nature of the claims being advanced by Mr. Richardson and his conduct in attempting to delay these proceedings, a costs award is both

appropriate and reasonable. The Defendants advise the Court that, to date, Mr. Richardson has not paid any costs that have been awarded against him.

[60] In my respectful view, costs should be higher than the mid-point of Tariff three, particularly given the voluminous material filed and the egregious, intemperate, distasteful and in some if not all cases, hurtful allegations hurled by this Plaintiff. In my view a reasonable all inclusive lump sum cost award is $4,000.00 payable forthwith by the Plaintiff per Rule 401(2) to counsel for each group of Defendants who filed written submissions and who appeared on this Section 40 Motion, namely:

1) Counsel Chantelle E. Eisner for Saskatchewan Health Authority and Cora Swerid;

2) Counsel Lindsay Oliver for the Chantelle Thompson, Jennifer Schmidt, Mark Clements, Chad Gartner, Brad Appel, Ian McArthur, Bryce Bohun, Kathy Irwin, Jason Panchyshyn, Cary Ransome, OWZW Lawyers LLP and Virgil A. Thomson;

3) Counsel Annie M. Alport for the Seventh-day Adventist Church, the Battlefords Seventh-day Adventist Church, the Manitoba-Saskatchewan Conference, Matrix Law Group, James Kwon, Mazel Holm, Gary Lund, Dawn Lund, Ciprian Bolah, Jeannie Johnson, Michael Collins, Clifford Holm, Patricia Meiklejohn and Kimberley Richardson;

4) Counsel Justin Stevenson for Jill Cook, Glen Metivier, the Honourable Justice M. Pelletier, Emi Holm, and Char Blais;

5) Heather Liang, QC for the Honourable Justice Caldwell and the Honourable Justice Crooks;

6) Counsels Marie Stack and Laura Sayer for the Honourable Justice R.W. Elson;

7) Counsel Jessica Karam for the Attorney General of Canada and the Royal Canadian Mounted Police.

JUDGMENT in T-1404-20

THIS COURT'S JUDGMENT is that:

1. The Motion by the Defendants Saskatchewan Health Authority and Cora Swerid to amend their Notice of Motion is granted.

2. The Plaintiff Dale Richardson and those acting as his proxies and agents and those representing his interests including but not limited to DSR Karis Consulting Inc. and Robert Cannon are declared vexatious litigants pursuant to section 40 of the *Federal Courts Act,* RSC 1985, c F-7;

3. No further proceedings shall be instituted in this Court by the Plaintiff Dale Richardson or those acting as his proxies and agents and or by those representing his interests including but not limited to DSR Karis Consulting Inc. and Robert Cannon, except by leave of this Court.

4. No proceeding previously instituted by the Plaintiff or those acting as his proxies and agents and or those representing his interests including but not limited to DSR Karis Consulting Inc. and Robert Cannon in this Court may be continued by any or all of them, except by leave of this Court.

5. For greater certainty, the Plaintiff and those acting as his proxies and agents and or those representing his interests including but not limited to DSR Karis Consulting Inc. and Robert Cannon are prohibited from filing any document or procedure, either in their own names or through those representing their interests, except by leave of this Court.

6. The Plaintiff shall forthwith pay to the following their all inclusive lump sum costs of $4,000.00:

    1) Counsel Chantelle E. Eisner for Saskatchewan Health Authority and Cora Swerid;

    2) Counsel Lindsay Oliver for the Chantelle Thompson, Jennifer Schmidt, Mark Clements, Chad Gartner, Brad Appel, Ian McArthur, Bryce Bohun, Kathy Irwin, Jason Panchyshyn, Cary Ransome, OWZW Lawyers LLP and Virgil A. Thomson;

    3) Counsel Annie M. Alport for the Seventh-day Adventist Church, the Battlefords Seventh-day Adventist Church, the Manitoba-Saskatchewan Conference, Matrix Law Group, James Kwon, Mazel Holm, Gary Lund, Dawn Lund, Ciprian Bolah, Jeannie Johnson, Michael Collins, Clifford Holm, Patricia Meiklejohn and Kimberley Richardson;

    4) Counsel Justin Stevenson for Jill Cook, Glen Metivier, the Honourable Justice M. Pelletier, Emi Holm, and Char Blais;

    5) Heather Liang, QC for the Honourable Justice Caldwell and the Honourable Justice Crooks;

    6) Counsels Marie Stack and Laura Sayer for the Honourable Justice R.W. Elson;

    7) Counsel Jessica Karam for the Attorney General of Canada and the Royal Canadian Mounted Police.

7. A copy of these Amended Judgment and Reasons shall be placed in Federal Court file T-1367-20 *Dale Richardson v Attorney General of Canada*.

"Henry S. Brown"

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	T-1404-20
STYLE OF CAUSE:	DALE RICHARDSON v SEVENTH-DAY ADVENTIST CHURCH, CIVILIAN REVIEW AND COMPLAINTS COMMISSION ("CRCC"), GRAND LODGE OF SASKATCHEWAN, COURT OF APPEAL FOR SASKATCHEWAN, J.A. CALDWELL, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. CUSTOMS BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, CORECIVIC, DEREK ALLCHURCH, ROYAL CANADIAN MOUNTED POLICE, CONSTABLE BURTON ROY, BATTLEFORDS SEVENTH-DAY ADVENTIST CHURCH, JAMES KWON, MAZEL HOLM, GARY LUND, DAWN LUND, CIPRIAN BOLAH, JEANNIE JOHNSON, MANITOBA-SASKATCHEWAN CONFERENCE, MICHAEL COLLINS, MATRIX LAW GROUP, CLIFFORD HOLM, PATRICIA J. MEIKLEJOHN, CHANTELLE THOMPSON, JENNIFER SCHMIDT, MARK CLEMENTS, CHAD GARTNER, BRAD APPEL, IAN MCARTHUR, BRYCE BOHUN, KATHY IRWIN, JASON PANCHYSHYN, CARY RANSOME, SASKATCHEWAN HEALTH AUTHORITY, DR. ALABI, RIKKI MORRISSON, CORA SWERID, DR. ELEKWEM, DR. SUNDAY, COURT OF QUEEN’S BENCH FOR SASKATCHEWAN, JILL COOK, GLEN METIVER, JUSTICE R.W. ELSON, JUSTICE CROOKS, OWZW LAWYERS LLP, VIRGIL A. THOMSON, PROVINCIAL COURT OF SASKATCHEWAN, HONOURABLE JUDGE M. PELLETIER, RAYMOND HEBERT, LINDA HEBERT, EMI HOLM, CHAR BLAIR, COMMUNITY FUTURES, LISA CIMMER AND KIMBERLEY RICHARDSON
PLACE OF HEARING:	HELD BY WAY OF VIDEOCONFERENCE
DATE OF HEARING:	MAY 30, 2022
JUDGMENT AND REASONS:	BROWN J.

DATED: JUNE 8, 2022

AMENDED: JUNE 10, 2022

APPEARANCES:

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Marie K. Stack Laura Sayer	FOR THE DEFENDANT (JUSTICE R. W. ESLTON)
Jessica Karam	FOR THE DEFENDANTS (ATTORNEY GENERAL OF CANADA AND ROYAL CANADIAN MOUNTED POLICE)

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McDougall Gauley LLP Saskatoon, Saskatchewan	FOR THE DEFENDANTS (THE HONOURABLE JUSTICE CALDWELL AND THE HONOURABLE JUSTICE CROOKS)
McKercher LLP Saskatoon, Saskatchewan	FOR THE DEFENDANT (JUSTICE R. W. ELSTON)
Attorney General of Canada Saskatoon, Saskatchewan	FOR THE DEFENDANTS (ATTORNEY GENERAL OF CANADA AND ROYAL CANADIAN MOUNTED POLICE)