

Form 7
[Rule 3.8]

Clerk's stamp:

COURT FILE NUMBER	1403-06143
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	EDMONTON
APPLICANT	AMERICAN FREEDOM DEFENSE INITIATIVE
RESPONDENT	THE CITY OF EDMONTON
DOCUMENT	ORIGINATING APPLICATION
ADDRESS FOR SERVICE AND OF CONTACT INFORMATION PARTY FILING THIS DOCUMENT	John Carpay Barrister and Solicitor #253, 7620 Elbow Drive SW Calgary, Alberta T2V 1K2 Phone: (403) 619-8014 Email: jcarpay@jccf.ca

NOTICE TO THE RESPONDENT

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date May 22, 2014
Time 10:00 AM
Where Law Courts Building Edmonton
Before: Justice in Chambers

Go to the end of this document to see what you can do and when you must do it.

Basis for this claim:

1. On or about October 4, 2013, the American Freedom Defense Initiative (hereafter the "AFDI") signed a contract with Pattison Outdoor Advertising Ltd. (hereafter "Pattison"), the company to which Edmonton Transit subcontracts advertising to, in order to place advertisements on Edmonton Transit buses.

2. AFDI made the arrangements for the posting of the advertisements with Ms. Elaine Gauthier, Senior Account Executive for Pattison.
3. On or about October 21, 2013, the AFDI advertisements were placed on the back of Edmonton buses.
4. Each advertisement showed the photos of seven young Muslim women. The text read "Muslim Girls Honor Killed by Their Families," then asked "Is your family threatening you? Is there a Fatwa on Your Head?" Finally, contact information where help could be found was given.
5. The advertisement was designed to provide Muslim women and girls with help, should they feel threatened, as well as challenging the opinion that honour killings are in any way acceptable or justified. The advertisement also sought to change public attitudes, to support gender equality and the rule of law.
5. On October 29, Gauthier informed AFDI that the City of Edmonton had ordered the advertisements removed, in response to complaints.
6. Gauthier contacted AFDI on October 30, 2014, to provide a refund for the cost of the advertisements.
7. By refusing to continue running the advertisement, the Respondent has violated the Applicant's section 2(b) right to freedom of expression as guaranteed under the *Canadian Charter of Rights and Freedoms*.

Remedy sought:

The Applicant applies to this Court for:

8. A declaration that the decision of the City of Edmonton to cancel the AFDI advertisements infringes section 2(b) of the *Canadian Charter of Rights and Freedoms* and cannot be saved under section 1;
9. An Order enjoining the City of Edmonton from violating the Applicant's *Charter* rights in future;
10. Such further and other relief as this Honourable Court considers just; and
11. Costs.

Affidavit or other evidence to be used in support of this application:

12. The Affidavit of Pamela Geller, filed;
13. The decision of the City of Edmonton, together with the evidence and all the exhibits filed, and all things touching the matter; and
14. Such further and other material as counsel may advise and this Honourable Court will permit.

Applicable Acts and regulations:

15. The *Canadian Charter of Rights and Freedoms*
16. *Constitution Act, 1982*, s. 52;
17. Such further and other material as counsel may advise and this Honourable Court will permit.

WARNING

You are named as a respondent because you have made or are expected to make an adverse claim in respect of this originating application. If you do not come to Court either in person or by your lawyer, the Court may make an order declaring you and all persons claiming under you to be barred from taking any further proceedings against the applicant(s) and against all persons claiming under the applicant(s). You will be bound by any order the Court makes, or another order might be given or other proceedings taken which the applicant(s) is/are entitled to make without any further notice to you. If you want to take part in the application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form. If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must reply by giving reasonable notice of that material to the applicant(s).