

2018-08-17 13:48

Justice Canada

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Form 27  
 Alberta Rules of Court  
 [Rule 6.3 and 10.52(1)]

COURT FILE NUMBER 1808-160  
 COURT COURT OF QUEEN'S BENCH OF ALBERTA  
 JUDICIAL CENTRE MEDICINE HAT  
 APPLICANTS RHEA LYNNE ANDERSON, WILLIAM  
 (RESPONDENT(S)) ANDERSON, and CECIL FRITZ CORP o/a A-1  
 IRRIGATION & TECHNICAL SERVICES  
 RESPONDENT HER MAJESTY THE QUEEN IN  
 (APPLICANT(S)) RIGHT OF CANADA AS  
 REPRESENTED BY THE  
 MINISTER OF EMPLOYMENT,  
 WORKFORCE & LABOUR  
 DOCUMENT APPLICATION BY THE RESPONDENT,  
 HER MAJESTY THE QUEEN IN RIGHT OF  
 CANADA AS REPRESENTED BY THE  
 MINISTER OF EMPLOYMENT,  
 WORKFORCE DEVELOPMENT & LABOUR  
 ADDRESS OF PARTY Attorney General of Canada  
 FILING THIS Department of Justice Canada  
 DOCUMENT Prairie Region, Edmonton Office  
 Lawyer in charge of the file: Kerry E.S. Boyd  
 300, 10423 - 101 Street NW, Edmonton, AB T5H 0E7  
 Telephone: 780-495-7295  
 Facsimile: 780-495-8491



**NOTICE TO RESPONDENT:** RHEA LYNNE ANDERSON, WILLIAM ANDERSON,  
 AND CECIL FRITZ CORP O/A A-1 IRRIGATION &  
 TECHNICAL SERVICES

This application is made against you. You are the Respondent. You have the right to state your side of this matter before the justice.

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

Date: **September 12, 2018**  
 Time: **1:30 pm**  
 Where: **Medicine Hat - Law Courts, 460 First St. S.E., Medicine Hat,  
 AB T1A 0A8**  
 Before: **Justice in Special Chambers**

*Go to the end of the document to see what else you can do and when you can do it.*

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**REMEDY CLAIMED OR SOUGHT:**

1. An order pursuant to Rule 3.68(1) of the *Alberta Rules of Court* striking out the Originating Application;
2. Costs of this application and this action; and
3. Such further and other relief as counsel may request, and this Court may deem fit.

**GROUND FOR MAKING THIS APPLICATION:**

4. This Court has no jurisdiction over this claim against the Federal Crown, as the Federal Court has exclusive original jurisdiction to grant the declaratory relief sought with respect to Ministerial policy.
5. Pursuant to s. 18(1) of the *Federal Courts Act*, RSC 1985, c F-7, the "Federal Court has exclusive original jurisdiction...to...grant declaratory relief[,] against any federal board, commission or other tribunal[.]"

**MATERIAL OR EVIDENCE TO BE RELIED ON:**

6. The pleadings filed herein;
7. The Affidavit of Rhea Lynn Anderson, filed April 26, 2018;
8. Such further and other material or evidence as counsel may request and this Court may deem fit.

**APPLICABLE RULES:**

9. Rules 1.2 - 1.4, 3.68 and Schedule "C" of the *Alberta Rules of Court*, and such further and other Rules as counsel may advise at the hearing of this application.

**APPLICABLE ACTS AND REGULATIONS:**

10. *Federal Courts Act*, RSC 1985, c F-7.
11. *Crown Liability and Proceedings Act*, RSC, 1985, c C-50
12. *Department of Employment and Social Development Act*, SC 2005, c 34

**ANY IRREGULARITY COMPLAINED OF OR OBJECTION RELIED ON:**

13. N/A

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**HOW THE APPLICATION IS PROPOSED TO BE HEARD OR CONSIDERED:**

14. In person before the presiding Justice in Chambers.

**AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT****WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.