

Clerk's Stamp:

COURT FILE NO.

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANTS

GRACELIFE CHURCH OF EDMONTON, JAMES
COATES, DONNA KLAY, ALLAN NEILL, and
ACHNES SMITH

RESPONDENTS

THE PROVINCE OF ALBERTA AS REPRESENTED BY
THE MINISTER OF HEALTH, THE CHIEF MEDICAL
OFFICER OF HEALTH, and ALBERTA HEALTH
SERVICES

DOCUMENT

AFFIDAVIT OF ACHNES SMITH

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

Justice Centre for Constitutional Freedoms
#253, 7620 Elbow Drive SW
Calgary, AB T2V 1K2

Attention: Leighton B. U. Grey, Q.C.
James S. M. Kitchen

Phone:

Email:

AFFIDAVIT OF ACHNES SMITH

SWORN ON May 2, 2020

I, Achnes Smith, of [REDACTED] in the Province of Alberta, have personal knowledge of the following or I am informed and do verily believe that:

1. I am and have been for 5 years a member of GraceLife Church ("GraceLife"). My family and I regularly attend GraceLife for Sunday morning services. I am a born-again Christian and follower of the Lord Jesus Christ.

Why Attending Grace Life is so Important and Beneficial to Me

2. I gratefully and gladly attend Sunday morning worship services at GraceLife church and have since GraceLife resumed gathering in-person for Sunday morning worship in June 2020. My family and I cherish Pastor Coates' courage in leading the GraceLife congregation in obedience to the Lord by meeting as the full body of Christ each Sunday. It is important to me that I publicly proclaim my devotion to God by not forsaking His commandments to gather with other believers to worship Him.
3. For our family, the heart of our Sundays is not only the worship service at GraceLife, but the fellowship with believers after the service, often until late into the afternoon. During such times, the congregation loves, counsels, and exhorts one another. It is truly something so precious to us and this time sees us through the challenges of the coming week. The pastors, elders, and fellow members of GraceLife have seen my family through some very difficult times and without their love and wise counsel, I do not know where we would be today.

Events Leading up to the Capture of the Grace Life Building

4. In December 2020, AHS and RCMP began harassing GraceLife congregants by entering the building during worship services. They took pictures and videos and it felt like an unlawful intrusion of our privacy was taking place. This caused me considerable stress and anxiety. Each Sunday, I wondered with apprehension what AHS and the RCMP would do next. What used to be times of peaceful, joyous gathering became mingled with the reunion of the harassed people of GraceLife. It is difficult to focus on worshipping the Lord, praying, reading Scripture, and listening to the sermon when the service is being disturbed and interrupted by law enforcement and public health inspectors.
5. I attended the GraceLife service on Sunday, February 14 - Pastor Coates' last Sunday at GraceLife before being jailed at the Edmonton Remand Centre. For the next 5 Sundays while Pastor Coates was in jail, AHS and RCMP did not attempt to enter the GraceLife building. This was a welcome reprieve and the worship and fellowship on those Sundays was particularly good as GraceLife welcomed other hurting people from the surrounding

communities. Our fellowship became a beacon of light to these people. I spoke with many men and women on those Sundays who felt hopeless, depressed and alone. My fellow GraceLife congregants and I were able to counsel, encourage and give them a place to call home.

6. I was, however, keenly aware that the first Sunday Pastor Coates was out of jail and back at GraceLife, AHS and RCMP again attempted to intrude into the GraceLife building. This time, my anxiety rose to actual fear of the law enforcement that I had always believed was in place to protect my rights and freedoms, not to violate them.
7. When AHS ordered the seizure and barricading of the GraceLife building a few days after Easter Sunday, I was heartbroken that our church building could no longer be used as the haven of rest it had become for so many hurting, recent attendees. I knew that the congregation would continue to meet, but that it would be in secret and only for regular congregants.

Conclusion

8. I am 69 years old. I am ostensibly more vulnerable to COVID because of my age. But I am unafraid. If I were to contract it, I have a good chance of full recovery. If I should succumb to it, then I will go to my Saviour, knowing that I chose to obey God rather than the oppressive laws of men. The fear of the Lord is the beginning of wisdom. I fear God, not COVID or a government that demands the violation of my conscience and my religious beliefs by cowering at home instead of going to church to celebrate my Savior with fellow believers.
9. This does not mean that I do not care about COVID or the people affected by it. Quite the opposite, as I grieve over the deaths of many people with COVID who had to die alone in nursing homes and hospitals.
10. My faith and resolve have grown stronger under the persecution at the hands of the Alberta Government. I will continue to attend the GraceLife services, whether in secret or not, as the Lord provides us with places to meet.

Member of the Law Society of Alberta
Active, Pro Bono
Natasha Boyce Bent
587-432-3911

ACHNES SMITH

Clerk's Stamp:

COURT FILE NO.

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANTS

GRACELIFE CHURCH OF EDMONTON, JAMES
COATES, DONNA KLAY, ALLAN NEILL, and
ACHNES SMITH

RESPONDENTS

THE PROVINCE OF ALBERTA AS REPRESENTED BY
THE MINISTER OF HEALTH, THE CHIEF MEDICAL
OFFICER OF HEALTH, and ALBERTA HEALTH
SERVICES

DOCUMENT

AFFIDAVIT OF ALLAN NEILL

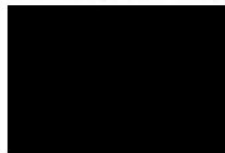
ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

Justice Centre for Constitutional Freedoms
#253, 7620 Elbow Drive SW
Calgary, AB T2V 1K2

Attention: Leighton B. U. Grey, Q.C.
James S. M. Kitchen

Phone:

Email:



AFFIDAVIT OF ALLAN NEILL

SWORN ON 3 May, 2021

I, Allan Neill, of [REDACTED], in the Province of Alberta, have personal knowledge of the following or I am informed and do verily believe that:

1. I am a member of GraceLife Church ("GraceLife"). My wife and I regularly attend GraceLife for Sunday morning services. We are born-again Christians and followers of the Lord Jesus Christ. I am 64 years old.

Ni

))))))))

A.D. Neill

Chad W. Graham
Barrister & Solicitor
A Commissioner for Oaths
in and for the Province of Alberta

Clerk's Stamp:

COURT FILE NO.

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANTS

GRACELIFE CHURCH OF EDMONTON, JAMES
COATES, DONNA KLAY, ALLAN NEILL and ACHNES
SMITH

RESPONDENTS

THE PROVINCE OF ALBERTA AS REPRESENTED BY
THE MINISTER OF HEALTH, THE CHIEF MEDICAL
OFFICER OF HEALTH, and ALBERTA HEALTH
SERVICES

DOCUMENT

AFFIDAVIT OF DONNA KLAY

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

Justice Centre for Constitutional Freedoms
#253, 7620 Elbow Drive SW
Calgary, AB T2V 1K2
Attention: Leighton B. U. Grey, Q.C.
James S. M. Kitchen

Phone:

Email:



AFFIDAVIT OF DONNA KLAY

SWORN ON May 11, 2021

I, Donna Klay, of [REDACTED] in the Province of Alberta, have personal knowledge of the following or I am informed and do verily believe that:

1. I am a 65-year-old family physician with 39 years of clinical practice experience. I work in a group practice clinic in [REDACTED] Approximately 1200 patients consider me their primary care provider.

2. I am a congregant of GraceLife Church (“GraceLife”). My husband and I regularly attend GraceLife for Sunday morning services. We are born-again Christians and followers of the Lord Jesus Christ.
3. For many months following the advent of COVID-19 and government restrictions in the Spring of 2020, I strictly adhered to all the public health mandates. Among other things, I always wore a mask and did not attend church for over 6 months.
4. I nevertheless became ill in December of 2020 with what was very likely COVID-19. Predictably, I recovered fully and quickly without incident.
5. In December and January, it became clear that I was suffering spiritually and mentally from not attending church for such a prolonged period. I knew the continued isolation was a serious threat to my mental health and, equally important, my spiritual health. I was not connected to the body of Christ through gathering in-person with the GraceLife congregation. I realized that I needed to be back worshiping with fellow believers. My husband and I decided to resume attending Sunday morning worship services at GraceLife in January of 2021.
6. Now that I have rejoined the body of believers in person, I have so many more opportunities to participate in the ministry of GraceLife. My heart is filled with joy as we study the Bible, sing, pray, and worship together. As an older woman, I am able to offer guidance and encouragement to younger women who are in a different season of life. These interactions are spontaneous and highly personal, and could never happen over “Zoom”.
7. In contrast, my own son is an Elder at another Edmonton church, feeling discouraged and disconnected, as his church only gathers in strict adherence to government restrictions. His wife and children are suffering due to the lack of meaningful fellowship, the compelled wearing of masks, avoiding hugs and laughter, and losing important relationships within their church. It is sad and painful to watch.

8. There is no substitute for a community of believers who share fellowship, pray together, support one another, and share the Love of Christ. It is so evident that the corporate gathering must NOT be forsaken.
9. Over the past 14 months, I have also witnessed my elderly parents suffer isolation in their long-term care facility. My father died at 96 years of age in May of 2020 (not from, with or of COVID-19). He had not been able to see my siblings or myself for 2 months prior to his death. He was confused and distressed that none of us could visit. Since he was blind and deaf, virtual visits were impossible. Funeral arrangements were also restricted and my mother, newly widowed after 70 years of marriage, had minimal access to her family in her time of grief. It was intensely emotionally painful for both me and my mother.
10. My mother has had all her meaningful family events cancelled for the last 14 months. It is tragic to see my mother spend her last years almost completely alone. Yet these measures were not effective, at least in the case of my mother. Like so many other long term care residents, despite being locked down for months on end and not having received a single visitor for 2 straight months, she also became ill with what was very likely COVID-19 in late December 2020.
11. Only then was I finally permitted to see her. I was able to provide the intense level of care and support that only a loving daughter can bring. I believe my care was the main reason for her recovery, instead of dying like so many other neglected seniors.
12. With the seizure and barricading of the GraceLife building, the government has tried to remove my husband and I from the family of believers with whom we worship and share fellowship.
13. I have continued to attend GraceLife Sunday morning worship services, which have been held in secret locations as if it is an “underground church” in some totalitarian country like China.
14. I still long to again worship in peace, free of interference by the government and its various agencies. I yearn for the return of days where we are able to gather to worship our

SWORN BEFORE ME at

this 11 day of MAY 2021.

In Sindbad

Commissioner for Oaths in and for the
Province of Alberta

)
)
)
)
)
)
)
)


DONNA KLAY

MARY BRINKLOW 0708440
A COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA
APPOINTMENT EXPIRES 2022/04/07.