

Federal Court



Cour fédérale

Date: 20251003

Docket: T-171-25

Citation: 2025 FC 1632

Ottawa, Ontario, October 3, 2025

PRESENT: Madam Justice Pallotta

BETWEEN:

MICHAEL TAYLOR

Plaintiff

and

**HIS MAJESTY THE KING (IN THE RIGHT
OF THE PROVINCE OF ALBERTA),
(ATTORNEY GENERAL OF CANADA)
ARIF VIRANI,(FORMER MINISTER OF
PUBLIC SAFETY) DOMINIC LEBLANC,
(ALBERTA MINISTER OF JUSTICE)
MICKEY AMERY, (ALBERTA DEPUTY
PREMIER & MINISTER OF PSES) MIKE
ELLIS, (MINISTER OF SERVICE
ALBERTA AND RED TAPE REDUCTION)
DALE NALLY, ALBERTA (WORKERS
COMPENSATION BOARD) , ROYAL BANK
OF CANADA , BUSINESS DEVELOPMENT
BANK OF CANADA, THE CITY OF
CALGARY, ENMAX POWER
CORPORATION, CALGARY POLICE
SERVICE, MUNICIPAL DISTRICT OF
FOOTHILLS NO. 31, GAIL GREENOUGH,
PARKLANDGEO LTD., MICHAEL
STAPLE, DIGICOM TECHNOLOGY
SERVICE INC., COLE TERRAS,
GROUNDWORKS (DOUG LACEY
BASEMENT AUTHORITY), RYAN**

SEAMANS, COCHRANE LANDSCAPE
SUPPLY LTD., JAMES CONNOLLY, JEN
MCMULLIN, KEVIN LES, TANYA MCKEE,
JOSHUA STUFF, CHRISTOPHER BOND,
IB JENSEN MASONRY LTD,
CHRISTOPHER BARTSCH, RYAN
LANDINE, KRISTI ZYCHOLWA,
KATHLEEN MULLALLY, ELAINE
MCGEE, MARION SKAJA, DARLENE
ADDUN, STEVEN KLETKE, SEAN
STRACHAN, ABC CORPORATION, ABC
CORPORATION, JOHN DOE, JOHN DOE

Defendants

ORDER AND REASONS

I. Introduction

[1] These reasons address twelve motions to strike the statement of claim in this action. The plaintiff is self-represented. The motions are brought by 18 of the approximately 40 named defendants. The moving defendants argue that the statement of claim should be struck without leave to amend, pursuant to rule 221(1) of the *Federal Courts Rules*, SOR/98-106 [Rules], including because it does not disclose a reasonable cause of action and because the Federal Court lacks jurisdiction over them and/or the subject matter of the claims against them (that is, it is not the type of action that the Federal Court has the power to hear and decide).

[2] The remaining 21 defendants have not responded to the statement of claim. However, the allegations against them are the same as or very similar to the allegations against the moving defendants.

[3] For the reasons below, I must grant the motions. The statement of claim fails to disclose a reasonable cause of action and the pleaded allegations do not fall within the Court's jurisdiction. The statement of claim will be struck without leave to amend.

II. The Statement of Claim

[4] The statement of claim is 69 pages long and recounts events that occurred in the plaintiff's life over the last few years. It alleges that the defendants have conspired to "defraud, defame, de-house and dehumanize" the plaintiff, and includes allegations of witness and evidence tampering, intentional economic interference, tortious conversion and destruction of property, defamation, intimidation and coercion, and harassment. It also alleges that the defendants acted with malice, infringed the plaintiff's rights under the *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK), 1982, c 11 [Charter]*, and violated section 430 of the *Criminal Code*, RSC 1985, c C-46.

[5] There are few specific allegations against the defendants. Instead, the plaintiff describes interactions with people that he claims were the result of groups of people conspiring against him.

[6] Paragraph 460 of the statement of claim concludes that:

The plaintiff has endured significant emotional suffering caused by the actions of the defendants. The plaintiff has suffered irreparable damage to his relationships, forever affecting his ability to trust due to the abhorrently deceitful tact of his persecutors.

In summary, the plaintiff [has] experienced tremendous loss to life, liberty, and dignity.

[7] The plaintiff claims over \$26 million in monetary relief against the defendants, under various heads of damages.

III. **Issues**

[8] Whether the statement of claim should be struck, without leave to amend, for failure to disclose a reasonable cause of action and/or a lack of jurisdiction are dispositive grounds for all motions. While some moving defendants argue that the statement of claim should be struck based on other grounds as well (that it is scandalous, frivolous or vexatious, and an abuse of process), it is not necessary to address the additional grounds. The failure to disclose a reasonable cause of action and/or a cause of action that is within the jurisdiction of this Court are sufficient to grant the motions.

IV. **Preliminary Issue: The Plaintiff's Responding Motion Materials**

[9] The plaintiff attempted to file responding motion materials, which were not accepted by the registry because the filing deadline had passed. The registry informed the plaintiff that he would have to bring a motion to extend the deadline, but he did not do so.

[10] The plaintiff sought to file responding materials at the hearing. While the plaintiff stated that he had served his responding motion materials on the moving defendants on August 3, 2025 (prior to the initial deadline) and again a few days before the hearing, it appeared that not all moving defendants had been served with the materials the plaintiff sought to file or they had not been served with the same version of the materials that the plaintiff sought to file.

[11] The plaintiff was given an opportunity to explain why the responding materials should be accepted late and despite the procedural irregularities, and I decided that the plaintiff should not be permitted to file the materials. However, I allowed the plaintiff to make oral arguments in response to the motions, and the moving defendants had the opportunity to reply.

V. Analysis

A. *Legal Principles*

[12] Motions to strike a pleading are governed by rule 221(1):

221 (1) On motion, the Court may, at any time, order that a pleading, or anything contained therein, be struck out, with or without leave to amend, on the ground that it	221 (1) À tout moment, la Cour peut, sur requête, ordonner la radiation de tout ou partie d'un acte de procédure, avec ou sans autorisation de le modifier, au motif, selon le cas :
(a) discloses no reasonable cause of action or defence, as the case may be,	a) qu'il ne révèle aucune cause d'action ou de défense valable;
(b) is immaterial or redundant,	b) qu'il n'est pas pertinent ou qu'il est redondant;
(c) is scandalous, frivolous or vexatious,	c) qu'il est scandaleux, frivole ou vexatoire;
(d) may prejudice or delay the fair trial of the action,	d) qu'il risque de nuire à l'instruction équitable de l'action ou de la retarder;
(e) constitutes a departure from a previous pleading, or	e) qu'il diverge d'un acte de procédure antérieur;
(f) is otherwise an abuse of the process of the Court,	f) qu'il constitue autrement un abus de procédure.

and may order the action be dismissed or judgment entered accordingly.	Elle peut aussi ordonner que l'action soit rejetée ou qu'un jugement soit enregistré en conséquence.
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[13] The written representations of Arif Virani and Dominic Leblanc, who are named as defendants in their former roles with the federal government (Federal Defendants), provide an accurate summary of the key legal principles governing motions to strike for failure to disclose a cause of action. The principles are reproduced below. All moving defendants rely on these legal principles, although some cited different cases.

- On a motion to strike a statement of claim, the test to apply is whether it is plain and obvious on the facts pleaded that the action cannot succeed:
Hunt v Carey Canada Inc, [1990] 2 SCR 959 at 980.
- In order to disclose a reasonable cause of action, a statement of claim must: (i) allege facts which could establish a cause of action; (ii) set out the nature of the action; and (iii) specify the relief sought, which the action can produce and the Court has jurisdiction to grant: *Bérubé v Canada*, 2009 FC 43 at para 24.
- In determining whether a cause of action exists, pleaded facts are deemed to be true, but assumptions and speculations which cannot be proven are not: *Operation Dismantle v The Queen*, 1985 CanLII 74 (SCC) at para 27. A statement of claim containing bare assertions, but no facts on which to base the assertions, discloses no cause of action: *Brazeau v Canada (Attorney General)*, 2012 FC 648 at para 15.

- It is fundamental to the trial process that a plaintiff plead material facts in sufficient detail to support the claim and relief sought. A plaintiff must plead, in summary form but with sufficient detail, the constituent elements of each cause of action or legal ground raised. The pleadings must tell the defendant who, when, where, how and what gave rise to its liability:
7299362 Canada Inc (Alexa Translations) v Amazon.com, Inc, 2025 FC 80 at para 46, citing *Mancuso v Canada (National Health and Welfare)*, 2015 FCA 227 at paras 16-19.
- Where the defects in a statement of claim are not curable by amendment, the pleading should be struck without leave to amend: *Simon v Canada*, 2011 FCA 6 at para 8. Where a claim has no “scintilla of a cause of action,” this is a fatal defect that cannot be cured by amendment: *Kakuev v Canada*, 2022 FC 1721 at para 18.

[14] The Federal Court has no inherent jurisdiction; it has only the jurisdiction conferred by statute and the inherent powers required to effectively manage and decide the cases before it:
744185 Ontario Inc v Canada, 2020 FCA 1 at para 28.

[15] *ITO-Int'l Terminal Operators v Miida Electronics*, [1986] 1 SCR 752 sets out the test for whether the Federal Court has jurisdiction over a claim (at page 766):

1. There must be a statutory grant of jurisdiction by the federal Parliament.
2. There must be an existing body of federal law which is essential to the disposition of the case and which nourishes the statutory grant of jurisdiction.

3. The law on which the case is based must be “a law of Canada” as the phrase is used in s. 101 of the *Constitution Act, 1867*.

B. *The Moving Defendants’ Arguments*

[16] All moving defendants submit that the statement of claim should be struck pursuant to rule 221(1)(a) because it discloses no reasonable cause of action. The moving defendants variously state that: (i) they are identified as a party but the statement of claim does not contain any allegations against them; (ii) the statement of claim does not contain allegations against them specifically, and does not make a factual connection between them and the broad allegations that are made against all defendants generally; or (iii) while the statement of claim includes specific allegations against them, the allegations are not supported by sufficient material facts. The moving defendants state that the facts pleaded in the statement of claim are assumptions and speculations which cannot be deemed true so as to support a reasonable cause of action.

[17] All the moving defendants except the Federal Defendants further submit that the statement of claim should be struck because the allegations are outside this Court’s jurisdiction: (i) these defendants are not federal Crown entities, and none of the circumstances where the Federal Court might have jurisdiction over them apply to this dispute; (ii) the allegations in the statement of claim relate to common law matters, such as torts, falling within provincial court jurisdiction; and (iii) to the extent the statement of claim refers to federal statutes, the statutes do not impose a duty on them towards the plaintiff.

[18] The moving defendants argue that the statement of claim should be struck without leave to amend because it has no “scintilla of a cause of action,” which is a fatal defect that cannot be cured by amendment, and because a lack of jurisdiction is not curable by amendment.

(1) The Federal Defendants

[19] The Federal Defendants submit that apart from general allegations of conspiracy against all defendants, the statement of claim does not plead any facts about them. The statement of claim makes one allegation that involves a federal agency: the plaintiff tried to turn himself in for fraud with the Royal Canadian Mounted Police (RCMP) but was told there was nothing criminal in the behaviour he was describing.

[20] The Federal Defendants argue that rather than setting out a complete and reasonable cause of action in an intelligible form supported by material facts, the statement of claim is a loose account of the plaintiff’s grievances and problems spanning the last three to four years. Even if the interaction with the RCMP were accepted as true, it would not give rise to liability. The assertions that various parties acted in concert against the plaintiff are unsupported bald allegations which cannot be deemed true. The statement of claim does not disclose a reasonable cause of action against the Federal Defendants and should be struck.

(2) Darlene Addun

[21] Darlene Addun submits the statement of claim alleges that the plaintiff engaged her employer to provide accounting services for two companies (referred to as Company 1 and Company 2), but it raises no cause of action against her. The facts alleged in the statement of

claim do not connect her to the broad allegations made against all defendants (which are based on assumptions and speculation).

[22] Ms. Addun further submits that the statement of claim should be struck because the Federal Court lacks jurisdiction. According to the test in *ITO*:

- she is not an agent of the Crown, and the statement of claim does not demonstrate she was under the Crown's control or connect her to an alleged conspiracy with the Crown;
- federal law is not essential to the disposition of the claim—the matters claimed are common law matters under provincial court jurisdiction;
- the statement of claim does not establish that the dispute should be determined based on a federal statute; the statement of claim refers to the *Criminal Code* and the *Charter* but these statutes do not resolve any allegations against her.

(3) The Alberta Defendants

[23] His Majesty the King in right of the Province of Alberta, Alberta Minister of Justice Mickey Amery, Alberta Deputy Premier & Minister of Public Safety and Emergency Services Mike Ellis, and Minister of Service Alberta and Red Tape Reduction Dale Nally (Alberta Defendants) submit that the statement of claim should be struck because it does not plead any facts against them—their names only appear in the style of cause. It is plain and obvious that the claim should be struck.

[24] The Alberta Defendants further submit that the Federal Court lacks jurisdiction over this action. It is clear that the statement of claim does not involve a matter addressed in section 17 of the *Federal Courts Act*, RSC 1985, c F-7. Sections 2 and 17 of the *Federal Courts Act* do not give the Court jurisdiction to hear claims against ministers of a province or the Crown in right of a province: *Pasqua First Nation v Canada (Attorney General)*, 2016 FCA 133 at para 50.

(4) Business Development Bank of Canada

[25] Business Development Bank of Canada (BDC) submits that the only specific references to it in the statement of claim (namely, interactions related to business financing) do not demonstrate how the plaintiff may have suffered any damages from his interactions with BDC, nor how BDC may have conspired with other defendants to injure the plaintiff. The statement of claim is void of any material facts which would link BDC's conduct to the broad allegations made against all defendants, and discloses no reasonable cause of action against it.

[26] BDC further argues that bald conclusory allegations of bad faith or abuse of power without any evidentiary foundation constitute an abuse of process, and the Court need not accept such allegations as true: *Slave Lake Helicopters Ltd v Canada*, 2024 FC 1527 at para 19. BDC states this case is comparable to the circumstances in *Chavali v Canada*, 2000 CanLII 16283 (FC), *Chavali v Canada*, 2001 FCT 268, and *Chavali v Canada*, 2002 FCA 209, where the plaintiff had claimed significant monetary damages against 42 defendants for conspiracy. The statement of claim was struck because it was “void of any material facts upon which to base the allegations”; the claim disclosed no cause of action against any of the defendants and was outside the Federal Court's jurisdiction: *Chavali v Canada*, 2001 FCT 268 at paras 11-13, 21-22.

[27] BDC states the Federal Court also lacks jurisdiction according to the test in *ITO*:

- there is no statutory grant of Federal Court jurisdiction regarding the plaintiff's claims against BDC; although BDC is a federal Crown corporation, the Court's jurisdiction is not automatic and must be explicitly granted (*Dalfen v Bank of Montreal*, 2016 FC 869 at para 27, citing *Katz v Bank of Nova Scotia*, 2009 FC 328 at para 14);
- there is no existing body of federal law that is essential to the disposition of this case;
- the statement of claim does not engage a "law of Canada"; the plaintiff does not allege that BDC was exercising statutory authority pursuant to the *Charter* or the *Criminal Code*.

(5) Kathleen Mullally

[28] Ms. Mullally states the only allegations about her in the statement of claim relate to a business relationship with the plaintiff and a networking opportunity she informed him about. The statement of claim does not describe how she may have conspired with the other defendants to injure the plaintiff or how he may have suffered any damages from his interactions with her. Ms. Mullally argues that the statement of claim discloses no reasonable cause of action against her and no cause of action within the Federal Court's jurisdiction. None of the circumstances set out in sections 17(3)-(5) of the *Federal Courts Act* that might give the Federal Court jurisdiction over her apply to this dispute.

(6) Cochrane Landscape Supply Ltd and Steven Kletke

[29] Cochrane Landscape Supply Ltd, an Alberta corporation, and Steven Kletke, an Alberta resident, submit that the statement of claim fails to establish any facts that would give rise to a cause of action against either of them. None of the factual allegations about them in the statement of claim describe interactions that would give rise to a duty of care or a breach thereof.

[30] Cochrane Landscape Supply Ltd and Mr. Kletke also argue that the Federal Court does not have jurisdiction to decide the allegations in the statement of claim, which appear to relate to torts.

(7) Marion Skaja

[31] Marion Skaja, a lawyer, states the only interactions between her and the plaintiff were about a possible legal retainer. The plaintiff seems to allege that her failure to immediately correct an error in her retainer letter was an attempt to interfere with his right to solicitor-client privilege. Ms. Skaja submits that the statement of claim does not mention her in the paragraphs alleging conspiracy between all defendants, and it does not plead material facts that, if deemed to be true, would establish a cause of action. The plaintiff makes assumptions and speculations instead of pleading facts to satisfy the constituent elements of a cause of action.

[32] Ms. Skaja also argues that the Federal Court does not have jurisdiction over the claims brought against her. The statement of claim fails to plead any grounds within the Court's jurisdiction. She and the plaintiff are private individuals, and the nature of the allegations are bare assertions of wrongful tortious and criminal conduct, infringement of the plaintiff's *Charter*

rights (when she owes him no constitutional duties), and contractual issues raising concerns about solicitor-client privilege.

(8) Sean Strachan and James Connolly

[33] Sean Strachan and James Connolly allege that the statement of claim fails to establish any facts that could give rise to liability for either of them. For Mr. Strachan, the allegations in the statement of claim relate to interactions between him and the plaintiff about repairs to the plaintiff's truck, completed by Mr. Strachan's employer, Dale Adams Automotive (not a named defendant). The statement of claim generally alleges that Dale Adams Automotive and/or Mr. Strachan acted in concert with other defendants in the tortious conversion of the plaintiff's property and to commit other offences. For Mr. Connolly, the statement of claim alleges that he was involved in drugging the plaintiff. Mr. Strachan and Mr. Connolly submit there are only bald allegations of conspiracy against them, and no facts giving rise to liability. The statement of claim discloses no reasonable cause of action and should be struck.

[34] Mr. Strachan and Mr. Connolly further state that the allegations against them relate to crimes or torts between private citizens and are outside the Federal Court's jurisdiction.

(9) Elaine McGee

[35] Elaine McGee states she was the plaintiff's landlord until he breached the residential lease agreement and it was terminated, as upheld by the Court of King's Bench of Alberta.

[36] Ms. McGee submits that in order to disclose a reasonable cause of action, the statement of claim must allege facts that could establish a cause of action, set out the nature of the action,

and specify relief that the Court has jurisdiction to grant. She contends that the statement of claim contains multiple unsupported and speculative assumptions, and it is difficult to understand how she is connected to the plaintiff's various allegations. She does not act on behalf of the government and was exercising her rights under a private agreement when she terminated the plaintiff's lease. The statement of claim does not disclose a cause of action against her.

(10) ParklandGEO Ltd

[37] ParklandGEO Ltd submits that the statement of claim alleges that the plaintiff executed a geotechnical engineering service agreement with ParklandGEO Ltd and does not disclose any recognizable cause of action against it. The statement of claim fails to plead any material facts demonstrating common intent, agreement, or coordinated action among the defendants to support an allegation of conspiracy. Instead, it contains bare, speculative allegations of wrongdoing without factual support. The statement of claim does not establish a legally viable claim and the defects cannot be cured by amendment.

[38] ParklandGEO Ltd further argues that the three requirements of the *ITO* test are not met, and thus the Federal Court has no jurisdiction over it or the subject matter of the statement of claim:

- the statement of claim does not plead that ParklandGEO Ltd is an agent of the federal Crown and provides no basis for the Court's jurisdiction over it as a non-Crown subject; mere allegations of conspiracy with federal officials cannot bring the claim within the Court's jurisdiction;

- the allegations do not engage federal law because, in pith and substance, they are tort claims and matters of provincial jurisdiction;
- the claims are not based on a law of Canada; the plaintiff refers to federal statutes that do not create any obligations for ParklandGEO Ltd.

(11) IB Jensen Masonry Ltd

[39] IB Jensen Masonry Ltd, a former employer of the plaintiff, submits that the statement of claim makes no specific allegations against it. The statement of claim does not allege wrongdoing resulting in harm to the plaintiff, plead material facts describing wrongdoing, or provide the detail necessary to respond. IB Jensen Masonry Ltd argues that the statement of claim fails to disclose a reasonable cause of action and should be struck.

[40] IB Jensen Masonry Ltd further argues that the Federal Court lacks jurisdiction because the statement of claim describes communications from an employment relationship, and employment law is a matter within provincial jurisdiction. IB Jensen Masonry Ltd is not a government entity and does not exercise government powers, and there is no basis for the plaintiff's *Charter* allegations.

(12) ENMAX Power Corporation

[41] ENMAX Power Corporation submits that it is plain and obvious that the Court lacks jurisdiction over the subject matter of the action, and the statement of claim should be struck: *Sokolowska v Canada*, 2005 FCA 29 at para 15, citing *Hodgson v Ermineskin Indian Band No 942*, 2000 CanLII 15066 (FC) at para 10. The allegations against ENMAX Power

Corporation include fraud, intentional economic interference, intentional infliction of emotional suffering, and conspiracy to pervert justice. Civil tort claims against an Alberta corporation plainly do not meet the *ITO* test:

- common law torts against non-Crown entities are not within the statutory jurisdiction of the Federal Court;
- the allegations against ENMAX Power Corporation are not based on federal law and there is no existing body of federal law essential to the disposition of the case;
- tort law is not a “law of Canada” within the meaning of the *Constitution Act, 1867* (UK), 30 & 31 Vict, c 3, s 91, reprinted in RSC 1985, Appendix II, No 5.

C. *The Plaintiff's Arguments*

[42] At the hearing, the plaintiff made oral submissions in response to the motions.

[43] In response to the arguments that the statement of claim discloses no reasonable cause of action, the plaintiff argues it is not plain and obvious on the facts pleaded—which must be taken as true—that the action cannot succeed. He submits that his claim is worthy of adjudication on the merits.

[44] Regarding the Federal Court’s jurisdiction, the plaintiff argues that he should be permitted to amend the statement of claim, and he would add the *Crown Liability and*

Proceedings Act, RSC 1985, c C-50, the *Income Tax Act*, RSC 1985, c 1 (5th Supp), and the *Canadian Security Intelligence Service Act*, RSC 1985, c C-23. He contends these statutes are relevant to allegations about: (i) *Charter* infringements; (ii) investigations into his finances; and (iii) the infrastructure and resources that were used to target him, interfere with his communications, and alter his data.

[45] The plaintiff conceded that his statement of claim contains deficiencies, making it difficult for the defendants to respond and for this Court to properly adjudicate the claim, but stated that his proposed amendments would correct the deficiencies.

[46] The plaintiff relies on rules of joinder to justify his decision to name all of the defendants in this action.

D. *Consideration of the Arguments*

[47] For the reasons below, I find that the statement of claim does not disclose a reasonable cause of action against the defendants, and it does not raise a cause of action falling within the Federal Court's jurisdiction. I agree with the moving defendants' submissions, which establish that the statement of claim should be struck against them, without leave to amend.

[48] As noted above, a statement of claim must plead the facts that form the basis of the claim and the relief sought: *Mancuso* at para 16. The statement of claim must tell a defendant who, when, where, how and what gave rise to its liability: *Mancuso* at para 19. The plaintiff's statement of claim in this action does not meet these requirements. It does not plead material facts that could establish the constituent elements of a cause of action. Some defendants are only

identified as a party, with no allegations against them. Other defendants are implicated in allegations made against the defendants generally, with no factual connection between them and the general allegations. Even where the statement of claim includes specific allegations against a defendant, the allegations consist of assertions that are not supported by sufficient material facts. In all cases, the statement of claim does not provide enough information to allow the defendants to understand the allegations against them and respond to the allegations.

[49] In addition, the allegations relate to torts and other causes of action that do not fall within the Federal Court's jurisdiction.

[50] The plaintiff's oral submissions do not answer the moving defendants' arguments. The plaintiff seems to misunderstand the purpose of pleadings. He stated he did not want to spell out all his allegations; he wanted to "save that for the discovery process." However, it has been a longstanding principle that an action cannot be commenced in the hope that sufficient facts to support the allegations in the pleading will be obtained during the discovery process: for example, see *Painblanc v Kastner*, 1991 CanLII 14420 (FCA).

[51] The moving defendants have established that the defects in the statement of claim are not curable by amendment, and the statement of claim should be struck without leave to amend.

[52] The remaining defendants have not taken any step in this proceeding. However, the statement of claim does not disclose a reasonable cause of action against any defendant. To the extent the statement of claim includes allegations against a defendant, it fails to disclose a cause of action against any defendant that falls within the jurisdiction of the Court.

[53] The Court may only act within the bounds of its jurisdiction and it cannot choose to hear an action that is outside its jurisdiction. In such circumstances the Court may strike a statement of claim even as against defendants who did not file a motion to strike (for example, in *Van Sluytman v Canada*, 2022 FC 545 the Court struck a statement of claim against defendants who had not filed a motion to strike because it was plain and obvious that the Court lacked jurisdiction over the aspect of the claim that involved these defendants: *Van Sluytman* at para 90). Requiring defendants to bring motions to strike, which would inevitably be granted, would be a waste of resources: *Van Sluytman* at para 91.

[54] Having reviewed the statement of claim, I cannot discern a cause of action against any defendant that falls within this Court's jurisdiction. Consequently, the statement of claim must be struck in its entirety, and without leave to amend.

E. Costs

[55] As the successful parties on this motion, the moving defendants each seek an award of costs in their favour. Costs are in the full discretion of the Court and governed by rules 400 to 422, with rule 400(3) setting out a list of criteria the Court may consider in exercising its discretion. Each of the 12 groups of moving defendants was successful on their motion and the general rule is that costs are awarded to a successful party. In my view, each group of moving defendants is entitled to an award of costs in their favour.

[56] Most moving defendants requested a lump sum award of \$500. Some moving defendants requested an award of between about \$2,000 and \$5,000, which they allege reflects a calculation

according to Column III of the Tariff. Based on my familiarity with this matter and the materials filed, I am not satisfied that any motion merits a cost award in excess of \$2,000.

[57] In my view, \$500 represents a reasonable cost award for each motion—this was the position of most of the moving defendants. However, because the plaintiff is self-represented and appears to have limited financial means, I have decided to reduce the cost awards to \$250 in respect of each motion.

[58] I recognize that an award of \$250 for each of the 12 motions, \$3,000 in total, is a significant amount of money, but I do not believe the amount is punitive, and the moving defendants should not be deprived of something approaching a reasonable cost award because the plaintiff chose to sue many defendants and he chose to oppose their motions.

ORDER IN T-171-25

THIS COURT ORDERS that:

1. The statement of claim is struck, without leave to amend.
2. Each set of moving defendants is entitled to costs in the amount of \$250, totaling \$3,000 payable by the plaintiff.

"Christine M. Pallotta"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-171-25

STYLE OF CAUSE: MICHAEL TAYLOR v HIS MAJESTY THE KING (IN THE RIGHT OF THE PROVINCE OF ALBERTA), (ATTORNEY GENERAL OF CANADA) ARIF VIRANI, (FORMER MINISTER OF PUBLIC SAFETY) DOMINIC LEBLANC, (ALBERTA MINISTER OF JUSTICE) MICKEY AMERY, (ALBERTA DEPUTY PREMIER & MINISTER OF PSES) MIKE ELLIS, (MINISTER OF SERVICE ALBERTA AND RED TAPE REDUCTION) DALE NALLY, ALBERTA (WORKERS COMPENSATION BOARD) , ROYAL BANK OF CANADA , BUSINESS DEVELOPMENT BANK OF CANADA, THE CITY OF CALGARY, ENMAX POWER CORPORATION, CALGARY POLICE SERVICE, MUNICIPAL DISTRICT OF FOOTHILLS NO. 31, GAIL GREENOUGH, PARKLANDGEO LTD., MICHAEL STAPLE, DIGICOM TECHNOLOGY SERVICE INC., COLE TERRAS, GROUNDWORKS (DOUG LACEY BASEMENT AUTHORITY), RYAN SEAMANS, COCHRANE LANDSCAPE SUPPLY LTD., JAMES CONNOLLY, JEN MCMULLIN, KEVIN LES, TANYA MCKEE, JOSHUA STUFF, CHRISTOPHER BOND, IB JENSEN MASONRY LTD, CHRISTOPHER BARTSCH, RYAN LANDINE, KRISTI ZYCHOLWA, KATHLEEN MULLALLY, ELAINE MCGEE, MARION SKAJA, DARLENE ADDUN, STEVEN KLETKE, SEAN STRACHAN, ABC CORPORATION, ABC CORPORATION, JOHN DOE, JOHN DOE

PLACE OF HEARING: CALGARY, ALBERTA

DATE OF HEARING: SEPTEMBER 10, 2025

ORDER AND REASONS: PALLOTTA J.

DATED: OCTOBER 3, 2025

APPEARANCES:

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VIRANI AND (FORMER MINISTER OF PUBLIC
SAFETY) DOMINIC LEBLANC

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AND STEVEN KLETKE

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