



No. 00639  
Abbotsford Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

Between:

Jessica Simpson

Plaintiff

And:

THE ATTORNEY GENERAL OF CANADA, MINISTRY OF JUSTICE OF BRITISH  
COLUMBIA and Cst. Michael Gafka, Cst. Michael Luzhetskiy

Defendants

**RESPONSE TO CIVIL CLAIM**

Filed by: the Attorney General of Canada, Cst. Michael Gafka, and Cst. Michael Luzhetskiy (the  
“Defendants”)

**Part 1: RESPONSE TO NOTICE OF CIVIL CLAIM FACTS**

**Division 1—Defendants’ Response to Facts**

1. Except as expressly admitted herein, the facts alleged in the Notice of Civil Claim (the  
“Claim”) are denied.
2. The facts in paragraphs 2-4 of Part 1 of the Claim are outside of the Defendants’ knowledge.

**Division 2—Defendants’ Version of Facts**

3. The Defendants deny each and every allegation of fact contained in the Claim except as  
admitted herein.
4. The Claim contains no facts that would ground a cause of action or relief in favour of the  
plaintiff.
5. The plaintiff pleads and seek relief on behalf of other individuals not named in this action.

**Division 3—Additional Facts**

6. The Defendants reserve the right to plead any additional facts and/or legal bases as they become known.

**Part 2: RESPONSE TO RELIEF SOUGHT**

7. The Defendants oppose the granting of all of the relief sought in the Claim.
8. The Defendants seek an order dismissing the action with costs.

**Part 3: LEGAL BASIS**

9. The Claim discloses no reasonable cause of action and should be struck pursuant to *Rule 9-5(1)(a)* of the *Supreme Court Civil Rules*, BC Reg 115/2009 (the “*Rules*”).
10. The Claim also ought to be struck in accordance with *Rule 9-5(1)(b)-(d)* of the *Rules*.
11. The Claim is frivolous, vexatious, unnecessary, scandalous, embarrassing and constitute an abuse of the court’s processes.
12. The plaintiff has no legal standing to bring this claim on behalf of other individuals, and seeks no actionable relief.

Defendants’ address for service: Department of Justice  
900 – 840 Howe Street  
Vancouver, BC V6Z 2S9  
Attention: Graham Hallson

Fax number address for service (if any): (604) 666-2639

E-mail address for service (if any): Not applicable

Dated: June 9, 2021



Signature of

defendant

lawyer for defendants

**ATTORNEY GENERAL OF CANADA**

Department of Justice Canada  
British Columbia Regional Office  
900 – 840 Howe Street  
Vancouver, British Columbia  
V6Z 2S9  
Fax: (604) 666-2639

**Per: Graham Hallson**

Counsel for the Defendants (the Attorney General of  
Canada, Cst. Michael Gafka and Cst. Michael  
Luzhetskiy)

Rule 7-1(1) of the Supreme Court Civil Rules states:

(1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

- (a) prepare a list of documents in Form 22 that lists
  - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
  - (ii) all other documents to which the party intends to refer at trial, and
- (b) serve the list on all parties of record.