

VANCOUVER

OCT 02 2013

CA 041232

COURT OF APPEAL
REGISTRY

Court of Appeal File No.:
Supreme Court File No.: S-127611
Supreme Court Registry: Vancouver

COURT OF APPEAL

BETWEEN:

DANIEL CHRISTOPHER SCOTT, MARK DOUGLAS CAMPBELL, GAVIN
MICHAEL DAVID FLETT, KEVIN ALBERT MATTHEW BERRY, BRADLEY
DARREN QUAST,
AARON MICHAEL BEDARD

Respondents
(Plaintiffs)

AND:

THE ATTORNEY GENERAL OF CANADA

Appellant
(Defendant)

NOTICE OF APPEAL

Take notice that THE ATTORNEY GENERAL OF CANADA hereby appeals to the Court of Appeal for British Columbia from the order of The Honourable Mr. Justice Weatherill of the Supreme Court of British Columbia pronounced the Sixth day of September, 2013 at Vancouver, British Columbia.

1. The appeal is from a:
 - Trial Judgment Summary Trial Judgment
 - Order of a Statutory Body Chambers Judgment
2. If the appeal is from an appeal under Rule 18-3 or 23-6 (8) of the Supreme Court Civil Rules or Rule 18-3 or 22-7 (8) of the Supreme Court Family Rules, name the maker of the original decision, direction or order:
3. Please identify which of the following is involved in the appeal:
 - Constitutional/Administrative Civil Procedure Commercial
 - Family - Divorce Family Law Act Corollary Relief in a Divorce Proceeding Other Family
 - Motor Vehicle Accidents Municipal Law Real Property
 - Torts Equity Wills and Estates

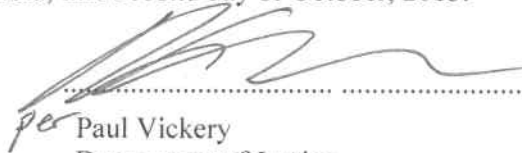
(The Divorce Registry will, as applicable, be notified by the Court of Appeal Registry on filing if the appeal involves divorce, corollary relief in divorce proceeding or matters under the *Family Law Act*)

And further take notice that the Court of Appeal will be moved at the hearing of this appeal for an order that:

1. the appeal is allowed;
2. the order of the Supreme Court of British Columbia pursuant to the September 6, 2013 decision of the Honourable Mr. Justice Weatherill is set aside;
3. the Plaintiffs' Amended Notice of Civil Claim (Supreme Court File No. S-127611, Vancouver Registry) be struck in its entirety.

The trial/hearing of this proceeding occupied 2 ½ days.

Dated at Vancouver, British Columbia, this Second day of October, 2013.


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per Paul Vickery
Department of Justice
Solicitor for the Appellant

To the respondents: DANIEL CHRISTOPHER SCOTT, MARK DOUGLAS CAMPBELL, GAVIN MICHAEL DAVID FLETT, KEVIN ALBERT MATTHEW BERRY, BRADLEY DARREN QUAST, AARON MICHAEL BEDARD

And to their solicitor: Donald J. Sorochan, Q.C.

This Notice of Appeal is given by:

Jasvinder S. Basran
Regional Director General
Department of Justice
British Columbia Regional Office
Attn: Paul Vickery, Travis Henderson and Mara Tessier

whose address for service is:

900-840 Howe Street
Vancouver, BC V6Z 2S9

To the respondents:

IF YOU INTEND TO PARTICIPATE in this appeal, YOU MUST GIVE NOTICE of your intention by filing a form entitled "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the notice of appearance on the appellant WITHIN 10 DAYS of receiving this Notice of Appeal.

IF YOU FAIL TO FILE A NOTICE OF APPEARANCE

- (a) you are deemed to take no position on the appeal, and
- (b) the parties are not obliged to serve any further documents on you.

The filing registries for the British Columbia Court of Appeal are as follows:

Central Registry:
B.C. Court of Appeal
Suite 400, 800 Hornby Street
Vancouver BC V6Z 2C5

Other Registries:

B.C. Court of Appeal

The Law Courts

P.O. Box 9248 STN PROV GOVT

850 Burdett Ave

Victoria BC V8W 1B4

B.C. Court of Appeal

223 – 455 Columbia Street

Kamloops BC V2C 6K4

Inquiries should be addressed to (604)660-2468

Fax filings: (604) 660-1951