Form 10
[Rule 3.25]

COURT FILE NUMBER	2306 00442
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	LETHBRIDGE
PLAINTIFF	CARRIE SAKAMOTO
DEFENDANTS	~~HIS MAJESTY THE KING IN RIGHT OF CANADA,~~ ATTORNEY GENERAL OF CANADA, MINISTER OF HEALTH, CHIEF PUBLIC HEALTH OFFICER OF CANADA, HEALTH CANADA, PUBLIC HEALTH AGENCY OF CANADA, ~~NATIONAL ADIVSORY COMMITTEE ON IMMUNIZATION,~~ DR. CELIA LOURENCO, ALBERTA HEALTH SERVICES, JANE DOE1, JANE DOE2 and THE CANADIAN BROADCASTING CORPORATION
DOCUMENT	**AMENDED STATEMENT OF CLAIM**

Clerk's Stamp

JUDICIAL CENTRE OF LETHBRIDGE
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NOTICE TO DEFENDANTS

You are being sued. You are a defendant.

Go to the end of this document to see what you can do and when you must do it.

I. Introduction

1. The Plaintiff, Carrie Sakamoto, suffered permanent, significant physical, psychological, and emotional harms, and other damages, after taking a second Covid-19 ("Covid") vaccine.

2. This claim arises in relation to damages suffered by the Plaintiff because of the Minister of Health's, and its agents and agencies (collectively the "Minister of Health") derelict approval and the Defendants' coordinated misinformation campaign in respect of the Covid vaccines which deliberately interfered with the Plaintiff's ability to exercise her right to informed consent to medical treatment.

3. The Minister of Health has a duty to ensure that the therapeutic products approved for use in Canada are safe and effective. The Minister of Health hastily altered the statutory vaccine approval under the *Food and Drugs Act* to approve the Covid vaccines in an expedited and novel manner, relied on information provided by the manufacturers and external public health authorities and did not independently assess the safety and efficacy standards traditionally required (the "Derelict Approvals").

4. The Minister of Health has a duty to recall a therapeutic product if the Minister of Health believes it presents a serious or imminent risk of injury to human health. Despite increased injury warnings, the Minister of Health did not recall the Covid Vaccines.

5. The Defendants have a duty to not provide false, misleading and deceptive information regarding therapeutic products to the public, including the Plaintiff. The Defendants, in a coordinated and strategic manner, launched a comprehensive false, misleading and deceptive misinformation campaign that created an erroneous impression regarding the character, value, composition, merit and safety of the Covid vaccines to entice and coerce the public to take the Covid vaccines (the "Vaccine Campaigns"). Despite increased adverse events

and injury warnings, the Defendants did not alter their messaging about the safety and efficacy of the Covid vaccines.

6. The Defendants held themselves out as public health experts, reporting on behalf of health experts and public health broadcasters establishing a relationship of trust between themselves and the public during the Covid pandemic at a time when the public was vulnerable, and they knew or ought to have known that the public would be relying on their information for their health, safety and protection. Meanwhile, the Defendants misrepresented the Covid vaccines and encouraged, and even implored, the public to trust the Defendants for their health, safety and protection. Further, the Defendants censored and suppressed information relating to the adverse events and injuries from the Covid vaccine to influence public confidence in the Covid Vaccines and maintain trust in the public health authorities. The Plaintiff alleges that the Defendants breached their public duty, acted negligently and committed malfeasance in public office in doing so.

7. In issuing the Derelict Approvals and implementing the Vaccine Campaigns, the Plaintiff alleges that the Defendants knew, or ought to have known, that the Derelict Approvals and the Vaccine Campaigns would cause damages to the public, including the Plaintiff, and the Defendants failed to take adequate measures, or any, to prevent harm to the public, including the Plaintiff.

II. Facts

a. The Parties

8. The Plaintiff, Carrie Sakamoto, (“Carrie”) was born November 7, 1975. At the time of filing this Statement of Claim, Carrie is 47 years old, and resides in the City of Lethbridge, in the Province of Alberta.

9. The Defendant, the Attorney General of Canada, is named pursuant to the *Crown Liability and Proceedings Act* R.S.C., 1985, c. C-50 as the representative of the Minister of Health and the various federal agents and agencies represented by

this minister, including but not limited to the Chief Public Health Officer of Canada, Health Canada, the Public Health Agency of Canada~~, National Advisory Committee on Immunization~~ and Dr. Celia Lourenco.

10. The Defendant, Alberta Health Services ("AHS"), is the single health authority for the province of Alberta~~, and~~ was established pursuant to the *Regional Health Authorities Act*, RSA 2000, c. R-10 and delivers medical services on behalf of the Government of Alberta's Ministry of Health and employs or contracts nurses, physicians, and other healthcare personnel.

11. The Defendants, Jane Doe1 and Jane Doe2, identified themselves as representatives of AHS and administered the Covid Vaccines to the Plaintiff.

12. The Defendant, The Canadian Broadcasting Corporation ("CBC"), is the national public broadcaster created pursuant to the *Broadcasting Act,* S.C. 1991, c. 11.

b. Derelict Approvals

13. The *Food and Drugs Act*, RSC 1985, c F-27, (the "*Food and Drugs Act*") exists to ensure all therapeutic products meet health, safety and quality requirements and must undergo rigorous testing prior to being approved for human use in Canada.

14. The Minister of Health is responsible for ensuring that therapeutic products sold in Canada are safe and effective for their intended purpose and has the authority under section C08.002 of the *Food and Drug Regulations*, CRC, c. 870 (the "*Food and Drugs Regulation*"), to issue an approval for a new therapeutic product in Canada.

15. Before manufacturers can market a therapeutic product in Canada, under the *Food and Drug Regulations*, they need to obtain a Drug Identification Number or a Notice of Compliance, or both. To get these, manufacturers must provide strong

evidence of the product's quality, safety, and efficacy as required under Canada's *Food and Drugs Act* and *Food and Drug Regulations*.

16. Under the *Food and Drug Regulations* that were in force at the beginning of the Covid pandemic, it could take several years for a manufacturer to develop a therapeutic product and generate the information and evidence required to satisfy the regulatory requirements.

17. Section 30.1 of the *Food and Drugs Act* authorizes the Minister of Health to make an interim order if the Minister of Health believes that immediate action is required to deal with a significant risk, direct or indirect, to health or safety.

18. On September 16, 2020, the Minister of Health made an interim order under s. 30.1 of the *Food and Drugs Act* to create an approval process that applied only to COVID-19 drugs (which includes vaccines) and was approved by the Governor in Council on September 25, 2020 (see P.C. 2020-682, Canada Gazette Part I, Vol. 154, No. 40 p. 2587 (the “Interim Order”)). The Interim Order lowered the usual approval criteria for therapeutic drugs in Canada.

19. In and around that same time, the Minister of Health, approved several Covid vaccines designated to protect against the disease Covid from Pfizer Inc., AstraZeneca PLC, Moderna, Inc. and Janssen Inc. (respectively the “Covid Vaccines” and the “Vaccine Manufacturers”). The Covid Vaccines were approved after the Minister of Health concluded that the benefit of the Covid Vaccines outweighs the risks and was not based on the usual safety and efficacy standard. The Minister of Health signed contracts with the Vaccine Manufacturers that forced the Canadian government to keep the agreements confidential and to indemnify the Vaccine Manufacturers for negligence and against any financial liability in the event of vaccine related harm.

20. Pfizer-BioNTech submitted their application for approval on October 9, 2020, and the Pfizer-BioNTech vaccine was approved by the Minister of Health on December 9, 2020 (the “Pfizer Vaccine”). AstraZeneca submitted their application for approval on September 9, 2020, and the AstraZeneca vaccine was approved by the Minister of Health on February 26, 2021 (the “AstraZeneca Vaccine”).

21. The Minister of Health authorized the Covid Vaccines relying on guidance from external regulatory agencies and Vaccine Manufacturers with the knowledge that domestic independent evaluation had not been undertaken to determine that the Covid Vaccines were fit for their purpose and had an adequate safety profile.

22. As of March 16, 2021, thirteen countries in the European Union suspended the authorization of the AstraZeneca Vaccine. At the time the applicable health authorities in the United States had not authorized the use of the AstraZeneca Vaccine.

23. It is alleged that the Vaccine Manufacturers engaged in “expedited” research to obtain regulatory approvals and launch the distribution of the Covid Vaccines worldwide as quickly as possible. It is also alleged that the Vaccine Manufacturers manipulated data, or presented misleading data, and misled regulatory authorities to secure approvals. The Minister of Health did nothing to ensure this was not the case by not requiring a proper and rigorous review of the information presented by the Vaccine Manufacturers.

24. The Vaccine Manufacturers have an inherent conflict of interest in representing their products for regulatory approval as safe and effective, and have in the past been known to manipulate data to make the drugs seem safer and more efficacious than they really are. The only safety and quality safeguards come from national regulatory authorities, such as Health Canada and the Food and Drugs Administration in the United States.

25. The Pfizer and Moderna Vaccines utilized a gene therapy (mRNA) technology which had never been successfully tested for efficacy and safety in humans. When the mRNA technology had been used, prior to the Covid pandemic, there were severe side effects observed, prompting the need for more safety related clinical research. Neurological complications, like Bell's Palsy, were indicated as a serious side-effect of the mRNA technology. To date, the Vaccine Manufacturers have not produced a successful coronavirus vaccine using gene therapy technology.

26. The Center for Disease Control and Prevention database Vaccine Adverse Reporting System in the United States reveals that the severe adverse events and deaths from the Covid Vaccines in 2021 and 2022 were significantly higher than all other vaccines combined from 2011 to 2020. Data from Canada and around the world shows a concerning trend in excess deaths that has not been researched or adequately explained by the public health authorities. The leading cause of death in Alberta was "unknown" and public health authorities and regulatory bodies in Canada or Alberta respectively have not been able to explain this increase in deaths.

27. If the Minister of Health believes that a product presents a serious or imminent risk of injury to health, he may recall the product and, in addition, may disclose confidential business information about a product without notification if the purpose of the disclosure is related to the protection or promotion of human health or the safety of the public. The Minister of Health's lack of action in not recalling, or pausing, the Covid Vaccines was grossly negligence and in bad faith given the patterns of excess death and injury emerging in Canada and around the world.

28. The Defendants knew or ought to have known by February 2021 that the Covid Vaccines were the cause of substantial increased serious adverse events and deaths yet continued to advertise the Covid Vaccines as "safe" and "effective" when they knew or ought to have known otherwise. Instead, the Defendants

disregarded expert opinion and scientific evidence demonstrating increased and concerning adverse events and death from the Covid Vaccine. When foreign authorities suspended their Covid Vaccines' approvals, in light of the risks known, the Minister of Health did not.

c. Coordinated Vaccine Campaigns

29. The *Food and Drugs Act* prohibits advertising any therapeutic product in a manner that is false, misleading, or deceptive or is likely to create an erroneous impression regarding the character, value, composition, merit or safety of the therapeutic product. Any person that promotes the sale of therapeutic product is subject to the *Food and Drugs Act*.

30. One of the roles of Health Canada is to provide health information to the public to make informed decisions about their health care. One of the roles of AHS is to deliver safe, high-quality health care in Alberta. One of the obligations on medical professionals is to obtain consent and ensure the patient is fully informed and understands a medical procedure or treatment before it takes place.

31. The Defendants, and each one of them, engaged in false, misleading, and deceptive Vaccine Campaigns designed to censor, entice, shame, cause fear and coerce Canadians to take the Covid Vaccines. The risks from Covid Vaccines were known but not clearly laid out for the public, and in fact intentionally censored and suppressed, which did not allow people to make independent, informed assessment about whether the Covid Vaccines were a necessary or safe therapeutic intervention.

32. The objective of the Vaccine Campaigns was to vaccinate everyone, young and old, without any regard to the risk that Covid actually presented to such persons versus the risk of the Covid Vaccines.

33. The Vaccine Campaigns include, but are not limited to:

a. the “safe and effective” campaign;
b. the “we are in it together” campaign;
c. #ThisIsOurShot campaign;
d. the “first vaccine is the best vaccine” campaign;
e. the “mix-and-match” campaign;
f. #ShotofHope campaign; and
g. the “trust the science” campaigns.

34. On or about March 15, 2021, the Defendants marketed the Covid Vaccines with the slogan, “the first vaccine, is the best vaccine”. Specifically, the Defendants represented that all the approved vaccines for Covid are highly effective at preventing severe disease and reducing transmission.

35. The Defendants failed to ensure that the information they disseminated to the public was credible, reliable, and accurate and instead acted in a false, misleading, and manipulative manner to the public, including the Plaintiff. The Defendants censored and suppressed information relating to the adverse events from the Covid Vaccine to influence public confidence in Covid Vaccines and maintain trust in the public health authorities.

36. The Vaccine Campaigns had the effect of violating the public’s right to informed consent to or reject a medical treatment, freedom from coercion to accept a medical treatment not voluntarily chosen and freedom from medical or scientific experimentation.

37. The Vaccine Campaigns prevented access to the information necessary for members of the public to understand and assess critical issues about the safety and efficacy of the Covid Vaccines, the medical consequences of refusing the Covid Vaccines, alternative treatments to the Covid Vaccines and the application of each of these factors to individual personal medical profiles.

38. Further, AHS provided the Covid Vaccines to the public at no cost and offered monetary incentives to entice and coerce the public to take the Covid Vaccines under false assurances.

39. The Vaccine Campaigns provided false, misleading, and deceptive information to the public and did not allow individuals to access or receive information necessary for informed consent thereby eviscerating informed consent by the public, including the Plaintiff.

d. The Plaintiff

40. Starting around March of 2020, Carrie was continuously exposed to the Defendants' fear-based messaging regarding the Covid pandemic. From around December of 2020, Carrie was inundated by the Defendants' imploring her to take claiming the Covid Vaccines will protect her health and safety, and the health and safety of others.

41. On April 21, 2021, Carrie was administered a vaccine manufactured by AstraZeneca by Jane Doe1 in at the Exhibition Pavilion in Lethbridge, Alberta. On June 18, 2021, Carrie was administered a vaccine manufactured by Pfizer by Jane Doe2 at the Exhibition Pavilion in Lethbridge, Alberta. The representations made by the Defendants instilled fear in Carrie regarding the Covid pandemic causing her to take the Covid Vaccines in the belief that it would protect her health and safety, and the health and safety of those around her.

42. Immediately following the administration of the Pfizer Vaccine, Carrie experienced severe flu-like symptoms including nausea, dizziness, and fever. Her symptoms continued to get worse throughout the week.

43. On July 1, 2021, Carrie's husband took her to the Chinook Regional Hospital in Lethbridge, Alberta (the "Hospital") because her symptoms were becoming increasingly severe. On the way to the Hospital, Carrie noticed that the right side

of her face began to droop and she experienced stroke like symptoms. Carrie was discharged that day, was told her symptoms would resolve themselves and was told to go home.

44. Throughout the night and into the next day Carrie's symptoms got worse, and she went back to the Hospital. She was admitted to the Hospital on July 2, 2021. Her symptoms got increasingly worse and she was put on a feeding tube because she was unable to properly chew and swallow her food.

45. On or about July 9, 2021, the doctors at the Hospital informed Carrie that her injuries were caused by the Pfizer Vaccine administered to the Plaintiff on June 18, 2021. The right side of her throat was paralyzed and she had to relearn how to swallow. The right side of her face and tongue were paralyzed making chewing and swallowing without choking extremely difficult. Her speech was slurred. Her right eye was paralyzed open so it had to be covered and taped shut. She experienced pain in her face, ear and head at all times. She experienced hearing loss in her right ear. Her balance was affected such that she needed a walker to move around. She constantly experiences vertigo. She takes four different medications every day. She has memory loss and sleeping is difficult for her. She is still in pain and has swelling in her face, ear and head, and experiences constant headaches. She was advised that the damage is permanent.

46. As a result of being administered the Covid Vaccines, the Plaintiff has suffered the following injuries ("Injuries"):
    a. Severe and permanent Bell's Palsy;
    b. Anxiety;
    c. Depression;
    d. Memory loss;
    e. Vision loss;
    f. Hearing loss;
    g. Cognitive impairment;

h. Synkinesis;
i. Loss of sleep;
j. Speech impairment;
k. Facial disfigurement;
l. Facial paralysis;
m. Tinnitus; and
n. Vertigo.

47. On July 15, 2021, Carrie was discharged from the Hospital.

48. On August 30, 2021, Carrie was sent a letter from the Vaccine Injury Support Program.

49. On November 1, 2021, Carrie and her family put their home and farm up for sale. She could not perform household tasks, she experienced fatigue, lack of concentration, was on several medications and required constant medical treatment. She lost her independence and ability to maintain her farm and family home.

50. In the fall of 2021 and into early 2022, two separate AHS representatives called Carrie at home and specifically advised her to take the Covid Vaccine as a booster and told her that it was “safe” for her to do so.

51. In the fall of 2021 and into early 2022, Carrie reached out to many Canadian mainstream media networks, including the CBC, to tell them her story so they could share the impacts of adverse events from the Covid Vaccines with the public and medical doctors. She was advised that they could not report on information that negatively reported on the Covid Vaccines.

52. On April 13, 2022, her family sold their family farm because she could not drive and live independently on the farm with her three children and husband due to the

Injuries and increased medical appointments in Lethbridge. The rushed sale caused Carrie and her family a significant financial loss.

53. On August 10, 2022, upon her request, Carrie received a letter from her medical doctor stating that it is not safe for her to take additional Covid Vaccines.

54. On March 3, 2023, Carrie is informed by letter that she is accepted into the Vaccine Injury Support Program confirming that the Pfizer Vaccine likely caused her serious and permanent Bell's Palsy. Carrie was offered a modest compensation from the Vaccine Injury Support Program limited to losses for the following injuries: (i) hearing, (ii) mimic (facial paralysis), and (iii) esthetic of the face.

III. CLAIMS

a. Public Duty

55. Governmental agencies including, public health, regional health authorities, publicly funded health care providers and the national public broadcaster do not have a legal duty to: (i) protect the health and safety of the public; (ii) provide the public with fair, accurate and independent information; or (iii) act in the best interest of the public. However, these same governmental agencies held themselves out to the public as public health experts, reporting on behalf of health experts and public health broadcasters establishing a relationship of trust between themselves and the public during the Covid pandemic at a time when the public was vulnerable. The Defendants knew or ought to have known that the public, including the Plaintiff, would be relying on their information for their health, safety and protection. Further, these governmental agents and agencies encouraged, and even implored, the public to trust the Defendants for their health, safety, and protection during the Covid pandemic and specifically with respect to the Covid Vaccines.

56. Traditionally, for therapeutic product approvals in Canada the Minister of Health has a legal duty to:

a. Ensure that the therapeutic products approved for use in Canada are safe and effective s. C.08.002(2)(g) and (h) of the *Food and Drugs Regulation*;
b. Recall therapeutic products from distribution where it is believed that a therapeutic product presents a serious or imminent risk of injury to health under s. 21.3(1) the *Food and Drugs Act*;
c. Ensure that advertisement of therapeutic products are not false, misleading or deceptive or is likely to create an erroneous impression regarding its design, construction, performance, intended use, quantity, character, value, composition, merit or safety under s. 9(1) of the *Food and Drugs Act*; and
d. Disclose confidential business information about a therapeutic product without notifying the person to whose business or affairs the information relates or obtaining their consent, if the Minister believes that the product may present a serious risk of injury to human health under s. 21(2) of the *Food and Drugs Act*.

57. However, the Minister of Health's traditional legal duty regarding safety and efficacy was removed for approval of the Covid Vaccines under the Interim Order. The Minister of Health <u>did not</u> have a legal duty to ensure that the Covid Vaccines approved for use in Canada were safe and effective. Instead, the Covid Vaccine approval test was based on whether there was "sufficient evidence to support the conclusion that the benefits associated with the drug outweigh the risks, having regard to the uncertainties relating to the benefits and risks and the necessity of addressing the urgent public health need related to COVID-19" (s. 5(c)).

58. In respect of the Covid Vaccines, the Minister of Health maintained a legal duty to:

a. Recall therapeutic products from distribution where it is believed that a therapeutic product presents a serious or imminent risk of injury to health;

b. Ensure that advertisement of therapeutic products are not false, misleading or deceptive or is likely to create an erroneous impression regarding its design, construction, performance, intended use, quantity, character, value, composition, merit or safety; and
c. Disclose confidential business information about a therapeutic product without notifying the person to whose business or affairs the information relates or obtaining their consent, if the Minister believes that the product may present a serious risk of injury to human health.

59. The Minister of Health retained a public duty with respect to the Covid Vaccines, as described above, which it could not abrogate simply by the Interim Order. The Minister of Health had a legal duty to monitor, recall and update the public messaging and disclose confidential business information about the safety and efficacy of the Covid Vaccines and failed to do so when a serious or imminent risk of injury to health was perceived and in doing so fettered its discretion.

60. Meanwhile the Defendants engaged in Vaccine Campaigns that deceived the public by telling the public that the Covid Vaccines were “safe”, “effective” and/or of “high quality” rather than candidly telling the public the truth about the novel approval process for the Covid Vaccines. All Defendants were promoting the Covid Vaccines and were subject to the *Food and Drugs Act*. The Defendants had a legal duty to monitor and update the public messaging about the safety and efficacy of the Covid Vaccines which it failed to do. The Minister of Health exercise his duty to ensure the advertisements regarding the Covid Vaccines were not false, misleading or deceptive and in doing so fettered its discretion.

61. The Defendants established a relationship of trust, breached their legal duties and the Plaintiff relied on the representations made by the Defendants when taking the Covid Vaccine and the Plaintiff has suffered significant physical, emotional, psychological damages and other damages.

b. Negligent Misrepresentation

62. The violations of the *Food and Drugs Act*, by the Defendants, in an addition to being a statutory violation, constitute a negligent misrepresentation.

63. The Defendants, individually and collectively, made untrue, inaccurate, or misleading representations, including but not limited to:

a. The Covid Vaccines were safe and fit for its intended use;
b. The Covid Vaccines were effective for its intended use;
c. The Covid Vaccines were of merchantable quality;
d. The Covid Vaccines had been adequately tested to ensure that the risks or adverse reactions were likely to occur with the appropriate range of tolerance;
e. The representations made in the Vaccine Campaigns; and
f. Such further and other representations as will be particularized in the course of this proceeding.

(collectively the “Representations”).

64. The Representations were made by the Defendants when the Defendants knew or ought to have known they were inaccurate. Alternatively, the Representations were made negligently or recklessly when the Defendants had insufficient information, while representing themselves as having sufficient information. Further the Defendants had a duty to update the Representations and messaging about the safety and efficacy of the Covid Vaccines which they also failed to do.

65. The Defendants’ Representations deceived the public and abused their special relationship of trust by making the Representations rather than candidly telling the public the truth about the Covid Vaccines. The Defendants intentionally misled the public about the Covid Vaccines claiming they were “safe”, “effective” and of “high quality” despite not being required to pass any formal safety or efficacy testing. In addition to making the Representations, the Defendants urged the Plaintiff to obtain any available vaccine at the very first opportunity.

66. The Defendants acted negligently and recklessly by suppressing information related to adverse events from the Covid Vaccines and suppressing opinions of medical and scientific experts, from Canada and around the world, who raised concerns about the Covid Vaccines and disagreed with the Representations made by the Defendants.

67. The Defendants, and each one of them, engaged in strategic and coordinated false, misleading, deceptive, fear and censorship in the Vaccine Campaigns, designed to entice, implore, shame and coerce Canadians to take the Covid Vaccines. Because the Defendants, each of them, agreed on a common purpose to brand and advertise the Covid Vaccines as “safe” and “effective” they are jointly and severally liable.

68. AHS provided the Covid Vaccine to the public at no cost, and even offered monetary rewards, in an effort to entice and encourage the public to take the Covid Vaccines thereby eviscerating informed consent required to treat the Plaintiff.

69. CBC, as Canada’s national, public broadcaster has an obligation to the Canadian public to ensure that the information is of a high standard which includes, but is not limited to: accuracy, fairness, balance, impartiality and integrity. CBC, in its capacity as Canada’s national, public broadcaster amplified the Representations using the Vaccine Campaigns.

70. CBC as the public broadcaster abdicated its responsibility to hold the governmental agencies and employees to account by being a mouthpiece of the Minister of Health and the various provincial health authorities in Canada.

71. The Plaintiff states that she was in a proximate relationship of trust to the Defendants as a citizen, taxpayer and consumer of the information offered by the Defendants.

72. The Plaintiff claims that the Defendants owe a duty of care to accurately inform the Plaintiff about the Covid Vaccines.

73. Each of the Defendants knew, or ought to have known, that the Plaintiff would rely upon the Representations made. Opting to be administered the Covid Vaccines, the Plaintiff relied upon the Representations made by each of the Defendants, to her detriment.

74. Given that the information about the Covid Vaccines was negligently misrepresented by the Defendants to the public, including the Plaintiff, it eviscerated the Plaintiff's ability to provide informed consent.

75. But for the Representations made by the Defendants, the Plaintiff would not have been vaccinated. But for the Representations made, the Plaintiff would not have suffered permanent significant physical, emotional, psychological damages and other damages.

c. Negligence

76. The Covid Vaccines were not reasonably safe or effective and thus were defective products. The Covid Vaccines were not properly conceived, designed, formulated, tested, researched, studied, packaged, distributed, sold, and placed in the stream of commerce.

77. The Covid Vaccines were not a reasonably safe therapeutic product because of, but not limited to, the following reasons:
    a. The foreseeable risks exceeded the benefits associated with the products;
    b. The products were more dangerous than ordinary consumers, including the Plaintiff, would reasonably expect;
    c. The products did not have adequate, effective warning and instructions in light of the dangers associated with their use;
    d. The products were inadequately tested; and

e. The products were not fit for the purpose for which they were intended.

78. The Covid Vaccines were unreasonably dangerous, beyond the dangers which could reasonably have been contemplated by the Plaintiff. Any benefit to the Plaintiff from being administered the Covid Vaccines was outweighed by the serious and undisclosed risks associated with its use.

79. For young and healthy women, like the Plaintiff, the benefits of the Covid Vaccines did not outweigh the risks. Since the Plaintiff is a young, healthy woman, the risk of Covid leading to death or serious health complications was minimal while the risk of the Covid Vaccines was disproportionate for the alleged minimal benefit, if any, that she would enjoy.

80. The Plaintiff ~~she~~ was owed a duty of care at all material times:

a. By the Minister of Health to ensure that the Covid Vaccines were fit for intended use;
b. By the Minister of Health to demand appropriate testing to determine whether, and to what extent, the Covid Vaccines posed serious health risks, including the magnitude of risk of developing serious injuries, including without limitation, Bell's Palsy;
c. By the Defendants to properly, adequately, and fairly warn the Plaintiff of the magnitude of the risk of developing serious injuries; and
d. By the Defendants to monitor, investigate, evaluate, report, and follow-up on adverse reactions, including death, to the use of the Covid Vaccines.

81. The Plaintiff claims that all the Defendants owed the Plaintiff a duty of care at all material times to:

a. Ensure that the information regarding the Covid Vaccines was accurate, fair, balanced, and impartial; and

b. Ensure diverse opinions of medical and scientific experts, from Canada and around the world, who raised concerns about the Covid Vaccines were considered.

82. The Defendants breached their respective standards of care. The Plaintiff states that her damages were caused by the negligence of the Defendants.

83. Such negligence includes but is not limited to the following:

a. The Minister of Health, failed to adequately test the Covid Vaccines and/or failed to require an adequate degree of testing;
b. The Minister of Health, negligently authorized the Covid Vaccine;
c. The Minster of Health failed to recall the Covid Vaccines from the market when serious or imminent risk of injury to health was believed to be present;
d. The Minister of Health agreed to keep business information about the Covid Vaccine confidential when serious or imminent risk of injury to health was believed to be present;
e. AHS, in contacting the Plaintiff on two separate occasions, advised the Plaintiff to take another Covid Vaccine after the Injuries;
f. AHS provided the Covid Vaccines to the public at no cost, and promoted monetary rewards, in an effort to entice and encourage the public to take the Covid Vaccines;
g. The Defendants, but for the CBC, failed to ensure that the Covid Vaccines were not dangerous to recipients, and that they were fit for the intended purpose and of merchantable quality;
h. The Defendants failed to provide the Plaintiff, and the general public with proper, adequate, and/or fair warning of the risks associated with the use of the Covid Vaccines;
i. The Defendants failed to adequately monitor, evaluate, and act upon reports of adverse reactions in Canada and elsewhere; and
j. The Defendants censored and suppressed information related to adverse events and injuries about the Covid Vaccines.

k. The Defendants censored and suppressed opinions of medical and scientific experts, from Canada and around the world, who raised concerns about the Covid Vaccines.

84. The Plaintiff claims that each of the Defendants, but for the CBC, owed a duty of care to the Plaintiff to:
    a. Inform her about the risks and dangers associated with being administered the Covid Vaccines;
    b. Inform her of the risks and dangers associated with being administered two Covid Vaccines from two separate manufacturers; and/or
    c. Inform her of the risks and dangers associated with being administered two Covid Vaccines with two different vaccine delivery systems.

85. The Defendants breached their respective duties of care, and consequently the standard of care, to provide information about the risks and dangers associated with the Covid Vaccines and thereby the Plaintiff was unable to give informed consent in respect of the Covid Vaccines.

d. Misfeasance/Abuse of Public Office

86. The Minister of Health abused its public office, acted in bad faith and intentionally misled the public about the Covid Vaccines by way of a novel approval scheme that did not require evidence that the Covid Vaccines be either “safe”, “effective” or of “high quality”. In direct contradiction with the public messaging from the Minister of Health, the novel Covid Vaccines approvals, in fact, lowered the approval standards.

87. Under the Interim Order, the requirements for approval of the Covid Vaccines were altered such that the approvals were given based on the conclusion that the benefits associated with the Covid Vaccines outweigh the risks making the new Covid Vaccines approval a subjective test. There must be strict objective evidence of both safety and efficacy. It must also be objectively clear that the benefits

outweigh the risks before a new drug is approved. It can only be objectively clear that the benefits of a drug outweigh the risks when the benefits and risks are objectively known.

88. Further, in the novel approval process for the Covid Vaccines, the Minister of Health relied on Relative Risk Reduction over Absolute Risk Reduction metrics. In communicating the risks and benefits associated with the Covid Vaccines, the more accurate and reliable measure for providing medical information to the public, and the Plaintiff, so they could make informed health decisions is Absolute Risk Reduction. The Relative Risk Reduction is the same generally irrespective of their level of risk and therefore suggests higher benefits than really exist. The Minister of Health abused its public office, acted in bad faith and intentionally mislead the public about the risk and benefit metric used for approving the Covid Vaccines.

89. The Minister of Health abused its public office, acted in bad faith and intentionally mislead the public in stating that the Covid Vaccines would stop the public from getting infected and stop transmission. The Vaccine Manufactures did not study these clinical endpoints and there was no data to support such representations.

90. The Minister of Health abused its public office, acted in bad faith, and intentionally misled the public that they could mix-and-match the Covid Vaccines, which the Plaintiff did, with absolutely no clinical evidence of such a practice. There was no scientific basis on which to recommend such a practice. In fact, the World Health Organization issued a strong warning against Canada's mix-and-match approach for the Covid Vaccines and called it a "dangerous trend".

91. A fundamental safeguard for therapeutic products allows the Minister of Health to pause or recall therapeutic product approval if new evidence raises a safety or efficacy concern or if fraud is discovered. The Minister of Health should not have relied on misleading and arguably fraudulent representations from the Vaccine

Manufacturers. Alternatively, the Minister of Health relied on Vaccine Manufacturers' own evidence which demonstrated that the harm caused by the Covid Vaccines exceeded the benefit. The Minister of Health acted in bad faith for not recalling or pausing the Covid Vaccines and continuing to recommend the Covid Vaccines despite increased safety and efficacy concerns.

92. The Interim Order allowed unapproved Covid Vaccines to be imported into Canada as long as the Canadian Government was the purchaser. The rationale was, to deal with the Covid pandemic, by purchasing the unapproved Covid Vaccines so that they would be available for distribution once approved for use, thereby creating a serious conflict of interest. Meanwhile, the Minister of Health acted in abused its public office, acted in bad faith, and intentionally coordinated with the Vaccine Manufacturers to keep the Covid Vaccine agreements confidential and to indemnify the Vaccine Manufacturers for negligence and against any financial liability in the event of vaccine related harm.

93. The Defendants, and all of them, were in a conflict of interest and had an economic interest in urging the public to obtain the Covid Vaccines. The conflict of interest caused the Defendants to act in deliberate and unlawful action that put the interests of the Vaccine Manufacturers over the interests of the public.

94. The Defendants, and all of them, intentionally censored and suppressed data relating to adverse events and injuries from the Covid Vaccines to influence public confidence in Covid Vaccines and maintain trust in the public health authorities. The Defendants knew or ought to have known of the increased risk from the Covid Vaccines through information submitted by the Vaccine Manufacturers, and from medical and scientific experts that raised this issue, but that information was not clearly laid out to the public, and in fact it was intentionally censored and suppressed, which did not allow the public, including the Plaintiff, to make an independent, informed assessment about whether the Covid Vaccines were a necessary or safe therapeutic intervention.

95. Further, the Minister of Health made it difficult for the public to report severe adverse events and injuries from the Covid Vaccines to the public health authorities in an effort to censor and suppress data relating to adverse events and injuries from the Covid Vaccine.

96. The Minister of Health intentionally engaged in conduct that it knew was unlawful and likely to cause harm to the public, including the Plaintiff.

97. As a result of the Minister of Health's malfeasance, the Plaintiff has suffered severe, permanent physical, psychological and emotional harm, and other damages.

IV. Damages

98. The Plaintiff claims that the Defendants' actions and breaches, as set out above, caused the Plaintiff extensive damages.

99. As a result of the Defendants' actions and breaches, the Plaintiff has suffered from severe physical, psychological, and emotional harms, and other related health problems.

100. The psychological damages caused by the Defendants' actions and breaches have caused the Plaintiff to suffer significant mental distress and loss of enjoyment of life.

101. The Plaintiff has incurred and will continue to incur medical expenses, lost income, and other expenses due to the Defendants' actions and breaches.

102. Continuously since June 18, 2021, the Plaintiff has been unable to complete many of her activities of daily living, her housekeeping duties, her farm responsibilities, and family responsibilities.

103. The Plaintiff's Injuries, including but not limited to paralysis, hearing loss, vision loss, speech impairment, vertigo and memory loss have impaired her from staying focused, and have left her able to perform daily tasks.

104. The Plaintiff has, as a direct and proximate result of the Defendants' actions and breaches suffered damages, such as past and future loss of income, out-of-pocket expenses, past and future medical expenses, as well as non-pecuniary damages arising from the harms suffered.

105. As a result of the Defendants' actions and breaches, the Plaintiff has suffered the following damages:

    1. Pain and suffering and loss of enjoyment of life;
    2. Infliction of psychological harm;
    3. Past and future loss of future income earnings, earning capacity and competitive advantage;
    4. Past and future loss of housekeeping capacity;
    5. Past and future cost of care;
    6. Pecuniary loss due to the expedited sale of the Plaintiff's farm;
    7. Out-of-pocket expenses; and
    8. Other such damages as will be proven at the trial of this action.

106. The Plaintiff claims that the Defendants, and each of them, are liable for the negligence of their employees, agents, or servants, acting within the scope of their employment or agency.

107. The Plaintiff claims that the Defendants, and each of them, are vicariously liable for the actions of their employees, agents, or servants.

108. The Plaintiff proposes that the trial of this action take place at the Lethbridge Courthouse, in the Province of Alberta.

V. Remedy Sought

109. The Plaintiff seeks the following remedies against the Defendants in this action:

A. General damages in an amount of $5,000,000.00 to be proven at trial.

B. Special ~~and punitive~~ damages in an amount of $2,500,000.00 to be proven at trial for, but not limited to:

i. Mental and other harms resulting from the Derelict Approvals;
ii. Mental and other harms resulting from the Vaccine Campaigns;
iii. Future loss of income;
iv. Loss of earning capacity and competitive advantage;
v. Loss of housekeeping capacity;
vi. Costs of psychological care;
vii. Future costs of care;
viii. Losses due to the expedited sale of the Plaintiff's farm; and
ix. Such further and other losses as will be proven at trial.

C. Punitive damages in the amount of $3,000,000.00.

D. A declaration that the Covid Vaccine approvals were unlawful.

E. A declaration that the Minister of Health, and its agents and agencies, exceeded their lawful authority in approving the Covid Vaccines.

F. A declaration that the Minister of Health, and its agents and agencies, following approval of the Covid Vaccines and seeing increased adverse effects the Covid Vaccines, ought to have recalled or paused the Covid Vaccines.

G. A declaration that the Defendants ought to have monitored and updated their public messaging about the safety and efficacy of the Covid Vaccines.

H. The Plaintiff seeks costs.

I. The Plaintiff claims prejudgment interest in accordance with the provisions of the *Judgment Interest Act*, RSA 2000, c J-1, as amended.

J. Such further and other relief as counsel may advise and this Honourable Court may deem just.

110. **The Plaintiff pleads and relies on the following**:

a. The *Alberta Rules of Court,* Alta Reg 124/2010;
b. *Broadcasting Act, SC 1991,* c 11;
c. Conflict of Interest Act, SC 2006, c 9, s 2;
d. *Conflicts of Interest Act,* RSA 2000, c C-23;
e. *Food and Drugs Act,* RSC 1985, c F-27;
f. *Food and Drug Regulations,* CRC, c 870;
g. *Judgment Interest Act*, RSA 2000, c J-1;
h. *Public Service Employment Act*, SC 2003, c 22, ss 12, 13;
i. *Public Service Employee Relations Act*, RSA 2000, c P-43;
j. Regional Health Authorities Act, RSA 2000; and
k. Such other enactments and legislation as the Plaintiff may advise and this Honourable Court may consider given the circumstances.

NOTICE TO THE DEFENDANT(S)

You only have a short time to do something to defend yourself against this claim:

- 20 days if you are served in Alberta
- 1 month if you are served outside Alberta but in Canada
- 2 months if you are served outside Canada.

You can respond by filing a statement of defence or a demand for notice in the office of the clerk of the Court of King's Bench at Calgary, Alberta, AND serving your statement of defence or a demand for notice on the plaintiff's(s') address for service.

WARNING

If you do not file and serve a statement of defence or a demand for notice within your time period, you risk losing the law suit automatically. If you do not file, or do not serve, or are late in doing either of these things, a court may give a judgment to the plaintiff(s) against you.