



Date: 20140604

Ottawa, Ontario, June 4, 2014

PRESENT: The Honourable Mr. Justice Phelan

BETWEEN:

In the matter of numerous filings seeking a declaration pursuant to s. 52 (1) of *the Canadian Charter of Rights and Freedoms* (“*The Charter*”);

and

In the matter of numerous motions requesting interim or interlocutory relief pursuant to s. 24(1) of *The Charter* with regards to changes to the *Marihuana Medical Access Regulations* (“*MMAR*”) and the *Marihuana for Medical Purposes Regulations* (“*MMPR*”).

ORDER

WHEREAS the Defendant/Respondent has brought a motion for an order confirming these proceedings are stayed until the Court’s decision on the merits of *Neil Allard et al v Her Majesty the Queen in Right of Canada* (Federal Court File No T-2030-13) [*Allard*];

WHEREAS the Defendant/Respondent has advised which claimants it considers meet the *Allard* Injunction criteria;

WHEREAS no claimant has objected to the Defendant/Respondent's characterization of whether they meet the *Allard* criteria within the required period of time;

WHEREAS many claimants have brought motions seeking interim relief in the form of interim or permanent constitutional exemptions;

WHEREAS claimants who did not meet the *Allard* criteria who had filed for interim relief prior to the May 7th order were given an opportunity to amend their motion records;

WHEREAS the Defendant/Respondent opposes the claimants' motions for interim relief on the basis of the doctrines of judicial comity and abuse of process;

AND WHEREAS an interim injunction has been ordered in *Allard* (2014 FC 280) to which many of the claimants are entitled [the Allard Injunction];

AND WHEREAS this Court granted the Defendant/Respondent's motion for a stay in an order dated May 7, 2014 (reported at 2014 FC 435) [the May 7 Order];

AND WHEREAS for Reasons issued concurrently with this Order;

THE COURT ORDERS THAT:

1. All Court files listed in Schedule "A" are stayed until the Court's decision on the merits of *Allard* for the reasons described in the May 7 order. The claimants in these files are entitled to the benefit of the Allard Injunction;

2. All Court files listed in Schedule “B” are stayed until the Court’s decision on the merits of *Allard* for the reasons described in the May 7 order. The claimants in these files are not entitled to the benefit of the Allard Injunction;
3. Where a claim has been stayed, the claimant may not file any further pleading with the Court unless otherwise ordered by this Court;
4. Every claim filed after May 7th, 2014 which is substantially identical to those subject to this order is stayed. Claimants in this group who meet the *Allard* requirements are entitled to the benefit of the Allard Injunction. Claimants who do not meet these requirements are not entitled to the benefit of the Allard Injunction; and
5. All motions for interim relief are dismissed without costs.

“Michael L. Phelan”

Judge

SCHEDULE A

T-485-14	T-487-14	T-516-14
T-517-14	T-518-14	T-523-14
T-529-14	T-530-14	T-531-14
T-538-14	T-543-14	T-548-14
T-553-14	T-560-14	T-561-14
T-564-14	T-565-14	T-566-14
T-567-14	T-575-14	T-576-14
T-579-14	T-581-14	T-582-14
T-584-14	T-585-14	T-586-14
T-587-14	T-588-14	T-591-14
T-593-14	T-594-14	T-595-14
T-596-14	T-597-14	T-599-14
T-602-14	T-604-14	T-607-14
T-610-14	T-612-14	T-613-14
T-614-14	T-615-14	T-619-14
T-620-14	T-621-14	T-623-14
T-624-14	T-625-14	T-627-14
T-629-14	T-630-14	T-634-14
T-636-14	T-638-14	T-639-14
T-640-14	T-641-14	T-644-14
T-647-14	T-650-14	T-657-14
T-660-14	T-662-14	T-664-14
T-667-14	T-669-14	T-671-14

T-678-14	T-680-14	T-684-14
T-685-14	T-686-14	T-689-14
T-691-14	T-692-14	T-697-14
T-698-14	T-704-14	T-706-14
T-718-14	T-723-14	T-724-14
T-725-14	T-726-14	T-727-14
T-728-14	T-729-14	T-733-14
T-735-14	T-738-14	T-739-14
T-747-14	T-749-14	T-750-14
T-753-14	T-755-14	T-766-14
T-785-14	T-800-14	T-802-14
T-804-14	T-812-14	T-855-14
T-896-14	T-929-14	T-930-14
T-948-14	T-951-14	T-957-14
T-963-14	T-969-14	T-972-14
T-974-14	T-976-14	T-977-14
T-988-14	T-989-14	T-992-14
T-997-14	T-1010-14	T-1017-14
T-1025-14	T-1031-14	T-1032-14
T-1042-14	T-1043-14	T-1044-14
T-1048-14	T-1053-14	T-1054-14
T-1056-14	T-1064-14	T-1065-14
T-1070-14	T-1076-14	T-1088-14
T-1106-14	T-1107-14	T-1126-14

SCHEDULE B

T-486-14	T-488-14	T-513-14
T-532-14	T-539-14	T-540-14
T-545-14	T-546-14	T-578-14
T-590-14	T-592-14	T-598-14
T-601-14	T-603-14	T-616-14
T-626-14	T-628-14	T-631-14
T-633-14	T-635-14	T-637-14
T-642-14	T-645-14	T-672-14
T-734-14	T-748-14	T-751-14
T-767-14	T-784-14	T-797-14
T-807-14	T-815-14	T-845-14
T-861-14	T-909-14	T-918-14
T-920-14	T-926-14	T-936-14
T-945-14	T-952-14	T-960-14
T-962-14	T-964-14	T-965-14
T-966-14	T-967-14	T-968-14
T-970-14	T-971-14	T-981-14
T-990-14	T-991-14	T-993-14
T-994-14	T-998-14	T-1011-14
T-1016-14	T-1018-14	T-1021-14
T-1033-14	T-1038-14	T-1039-14
T-1040-14	T-1041-14	T-1047-14
T-1049-14	T-1052-14	T-1055-14

T-1058-14	T-1059-14	T-1060-14
T-1063-14	T-1066-14	T-1067-14
T-1087-14	T-1089-14	T-1099-14
T-1101-14	T-1104-14	T-1130-14
T-1143-14		