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FEDERAL COURT

NEIL ALLARD  
TANYA BEEMISH  
DAVID HEBERT  
SHAWN DAVEY

No. T-2030-13

SERVICE OF A TRUE COPY  
HEREOF ADMITTED

DEC 22 2014

WILLIAM F. PENTNEY  
Solicitor for  
A.G.C.  
PLAINTIFFS

AND:

HER MAJESTY THE QUEEN IN THE RIGHT OF CANADA

DEFENDANT

**SUBMISSIONS TO JUSTICE MANSON WITH RESPECT TO SCOPE OF REMEDY**

**The issue**

On December 15, 2015, The Federal Court Of Appeal Ordered that this matter be remitted back to Justice Manson for determination solely on the issue of the scope of the remedy, more particularly with respect to Ms. Beemish and Mr. Hebert.

**Overview and Summary of submission**

This submission essentially requests that the Court ensure that all "medically approved patients" are covered by the Exemption Order pending trial by making the following modifications:

- A. Order that all Patients that held a valid Authorization to Possess (ATP) on **March 21, 2013** (instead of March 21, 2014, to allow for the annual renewal process in the *MMAR*) or, in the alternative, on **September 30, 2013** the *MMPR* transition date, are covered by the Exemption Order, so that all medically approved patients under the *MMAR*, such as Ms. Beemish and others similarly situated, were and are protected by the interim Exemption Order;

B. Order that all Patients exempted by the Order, such as Mr. Hebert and Ms. Beemish, and others similarly situated, can change the address of their production site by simply filing a change of address form with Health Canada (as was permitted pursuant to the *MMAR Regulation 46 and containing the same or similar data*) or such other agency (such as the police) chosen by the Defendant Government of Canada pending trial.

It is respectfully submitted that these modifications will ensure that all 'medically approved patients' having valid authorizations to possess within one year prior to the date of the Order allowing for the annual *MMAR* renewal process or, in the alternative, on September 30, 2013 that is 6 months before the Order, taking into account the *MMPR* transition date, and will eliminate any incongruence between patients whose ATPs and Personal-Use Production Licences (PPL's) or Designated-person Production Licences (DPL's) were on different dates.

Further, enabling a simple procedure to change a production site when necessary by filing a form with Health Canada containing basic data to enable them to update and continue maintaining their existing database for the benefit of the police when investigating to determine whether or not the object of their investigation is lawful or not. The police continue to contact Health Canada with respect to the database in current investigations. In the alternative, enabling the patients to file's the change directly with the police, subject to certain confidentiality requirements.

## **The Facts**

### **Tanya Beemish and David Hebert**

1. The Applicant/Plaintiff Tanya Beemish is 27 years old and married to the Applicant/Plaintiff David Hebert, aged 32. They live in Surrey B.C. and have no children. She suffers from Type I Diabetes and a related complication of gastroparesis. She suffers from extreme nausea, continuous vomiting, pain, lack of appetite and sleep. She requires a GJ tube which by-passes her stomach, and is on dozens of medications

that she does not find helpful and cause significant negative side effects. *Affidavit of Tanya Beemish, January 13<sup>th</sup>, 2014, at paras 1 – 4 and 8*

2. Marihuana is an effective treatment for Ms. Beemish's nausea and discomfort, stimulates her appetite, and helps with her anxiety and depression. She uses 2 to 10 g of medical marihuana per day to treat her illness. She was authorized pursuant to the *MMAR* to possess 150 g on her person and to store 1125 g at her production site. However her authorization to possess had an expiry date of January 4, 2014. *Affidavit of Tanya Beemish, supra, at para 5 – 8.*

3. Ms. Beemish has been receiving a disability pension of \$596 per month since December 2012, and cannot afford the estimated LP prices. Her husband Mr. Hebert is her primary caregiver and designated medical marihuana producer whose DG permit also has an expiry date of January 4, 2014. The marihuana he grows costs the affordable price of \$0.50 per gram. *Affidavit of Tanya Beemish, supra, at paras 4, 6, 9-11, 13 – 16; Affidavit of David Hebert, January 13<sup>th</sup>, 2014, at paras 4 – 6, 14 – 16*

4. In October 2013, Ms. Beemish and Mr. Hebert had to move to another location due to the previous location being unaffordable. They notified Appellant Health Canada prior to September 30, 2013 of their need to relocate their production. But by the time they found a new location the September 30, 2013 deadline for seeking amended licencing (a change in the production site) imposed by the *MMPR* had passed. Mr. Hebert's Designated Grower *MMAR* production licence expired January 4, 2014, as did Ms. Beemish's Authorization to possess (ATP) and as a result Ms. Beemish has not had access to her prescribed medical marihuana since they had to move in October 2013. *Affidavit of Tanya Beemish, supra, at paras 4, 6, 9-11, 12, 13 – 16 and Ex. A; Affidavit of David Hebert, supra, at paras 2, 4 – 6, 14 – 16 and Ex.A.*

#### **The Order of Manson J. of March 21, 2014**

5. The Court found the following facts with respect to the Applicants/Plaintiffs Beemish and Hebert:

#### *II. Tanya Beemish and David Hebert*

[24] Ms. Beemish and Mr. Hebert are a common law couple who reside in Surrey, British Columbia. Ms. Beemish is 27 years old and Mr. Hebert is 32. Ms. Beemish was employed as a barista until June, 2012, when she went on sick leave. Since December, 2012, she has received a Canada Pension Plan disability pension of \$596.73 monthly. She suffers from type one diabetes and gastroparesis.

[25] On January 4, 2013, Ms. Beemish received an ATP to alleviate her symptoms of extreme nausea, vomiting, pain, lack of appetite, and insomnia. She uses a daily dose of 2-10 grams which she ingests via smoking or vaporizing. Her ATP, which authorized her to possess 150 grams, expired on January 4, 2014.

[26] Mr. Hebert is the Health Canada approved designated grower for Ms. Beemish. He is employed as an Environmental Protection Officer. His DPL allowed him to produce 25 plants indoors and store 1125 grams of marihuana at the production site. He produced the marihuana for Ms. Beemish in a secure room attached to their townhouse garage, which was ventilated, and had mold controls and fire alarms. While his DPL expired on January 4, 2014, he was unable to legally produce marihuana as of October 30, 2013, when he moved residences and was unable to renew his DPL.

[27] Mr. Hebert estimates that the cost to produce the marihuana was approximately \$0.50 per gram, exclusive of capital costs to create his production facility. Both Mr. Hebert and Ms. Beemish state that costs of \$8-12 dollars for marihuana produced by an LP is beyond what is affordable, noting that even a cost of \$5 per gram is a tenfold increase in what it costs Mr. Hebert to produce marihuana for Ms. Beemish. They fear that they will have to turn to the black market to find affordable marihuana, with no guarantees as to the quality and safety of the product.

### **Submissions**

6. Consequently, while Mr. Hebert's designated-person production licence remained valid as of September 30, 2013 pursuant to the order of Manson J., however the authorization to possess of Ms. Beemish expired on January 4, 2014 and was therefore no longer valid pursuant to the order of Manson J.

7. While Ms. Beemish, could arguably remedy her situation by attending on her physician and obtaining a s. 53 Narcotic Control Regulation authorization with respect to her possession, an ability to change the production site is still required to enable Mr.

Hebert to continue to produce for her. However, Health Canada does not appear to recognize a s. 53 authorization in such circumstances indicating that for the DG licence to be valid, the associated ATP must also be valid and s.53 will not suffice.

8. The court made the following further findings with respect to the patients as a whole :

- a. The Court found the Plaintiffs/Applicants were “representative of an identifiable group: medically-approved patients under the *MMAR* regime” who “would be irreparably harmed” by the effect of the repeal by the *MMPR* of the *MMAR* provisions with respect to supply; namely the personal production or designated-person production licences (collectively, the “Patients”). Order paragraph 117.
- b. The Court also found that the “balance of convenience” favoured granting an injunction/exemption preserving those rights under the *MMAR* for these Patients pending trial. (Order paragraph 120).

9. Justice Manson, however, did not provide all of these Patients with a responsive and effective remedy, just some of them.

10. Based on existing appellate authority, all medically-authorized persons are constitutionally entitled to reasonable access to medical cannabis and the failure to provide that access violates s. 7 of the *Charter*.<sup>1</sup>

11. The Exemption Order does not provide any remedy to Ms. Beemish and Mr. Hebert (or those similarly situated Patients) who were and continue to be “medically-approved” under the *MMAR* but who required administrative changes (such as either a declaration that Ms. Beemish’s ATP remains valid on January 4, 2014, or that a s. 53 Narcotic Control Regulation authorization would suffice, and bearing in mind that Mr. Hebert’s DPL continued to be valid on the September 30, 2013 date and, an ability to

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<sup>1</sup> See *R. v. Parker* (2000) 49 O.R. (3d) 481 (Ont.C.A.) (leave to appeal to the Supreme Court of Canada dismissed) recently reaffirmed by that Court in *Her Majesty the Queen and Matthew Memagh* (2013) Ont.C.A 67 (February 1, 2013) (leave to appeal to the Supreme Court of Canada dismissed July 25, 2013).

make and address change for their production site) and were unable to obtain those modifications prior to September 30, 2013 and have continued to be unable to do so since.

12. Consequently, the Exemption Order does not provide any effective remedy to Patients holding valid production licences on September 30, 2013 (or having a DPL for them that is valid on that date) in accordance with the Order, but whose Authorizations to Possess expired between March 21, 2013 (as opposed to 2014 to allow for the annual renewal process) or at least between September 30, 2013 (the *MMPR* transition date and exemption order cutoff date for production licences) and March 21, 2014 (the date of the Exemption Order and cut-off date for a valid ATP under the Order).

13. Therefore the Exemption Order provided an effective and responsive remedy to some, but not all, of the Patients that the Court found would be irreparably harmed by the *MMPR*'s repeal of the personal and caregiver production licencing in the *MMAR*.

14. A purposive approach to remedies in the context of the *Charter* requires that both the purpose of the right being protected and the purpose of the remedies provision be promoted. To do so, courts must issue effective, responsive remedies that guarantee full and meaningful protection of *Charter* rights and freedoms.<sup>2</sup>

15. This is consistent with the "well accepted" principle that the *Charter* must be given "generous and expansive interpretation" in order to avoid narrow, technical approaches that could "subvert the goal of ensuring that right holders enjoy the full benefit and protection of the *Charter*."<sup>3</sup>

16. This generous approach to *Charter* interpretation "holds equally true for *Charter* remedies." (*Doucet-Boudreau* at paragraph 24.) This is because a right is only protected when there are appropriate remedies for violations of that right.<sup>4</sup>

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<sup>2</sup> *Doucet-Boudreau v. Nova Scotia (Minister of Education)*, [2003] 3 SCR 3 at paragraph 25.

<sup>3</sup> *Doucet-Boudreau* at paragraph 23 -25

<sup>4</sup> *Doucet-Boudreau* at paragraph 25 (emphasis added). See also *Canada (Attorney General) v. PHS Community Service Society* 2011 SCC 44 at paragraphs 141 through 145 (SCC)

“Purposeful interpretation means that remedies provisions **must** be interpreted in a way that provides “a full, effective and meaningful remedy for *Charter* violations” since “a right, no matter how expansive in theory, is only as meaningful as the remedy provided for its breach” (*Dunedin, supra*, at paras. 19-20). A purposeful approach to remedies in a *Charter* context gives modern vitality to the ancient maxim *ubi jus, ibi remedium*: where there is a right, there must be a remedy. More specifically, a purposeful approach to remedies requires at least two things. **First, the purpose of the right being protected must be promoted: courts must craft responsive remedies. Second, the purpose of the remedies provision must be promoted: courts must craft effective remedies.”**

17. In the case at bar, after finding that irreparable harm would flow from the *MMPR*'s removal of the personal and designated production rights in the *MMAR*, the Court was required to craft a responsive and effective remedy for all medically approved Patients who qualified under the *MMAR*. Unfortunately, the remedy crafted was neither fully responsive to those harms nor effective for many medically-qualified persons including Ms. Beemish and her designated caregiver spouse Mr. Hebert.

18. With respect to the ‘change in production site address’ question, it should be remembered that one, if not the primary, reason for notifying Health Canada of changes to production sites is **to facilitate law enforcement knowledge of whether a production site they may be investigating is legally authorized or not. Health Canada continues to maintain such a data base that is accessible to the police** (and all that is required is for the patient to file the required information, as per *MMAR* Regulation 46(1) and (2) (a) and (b) to enable Health Canada to simply add this change of address to its existing database) so the police can continue to determine if the object of their investigation is a legal production site or not.

19. The investigation and charging of medically approved patients who, due to necessity, have had to move their production sites, would result in the potential destruction of their medicine and production facility pending trial where, in their defense, the law still entitles them to reasonable access based on *Parker (supra)* to avoid being placed in a position where they have to choose between their liberty and their health. The failure to provide them with a remedy to prevent this harm, pending trial, places

them exactly in that position, which has been held to violate their s.7 *Charter* constitutional rights.

20. The Plaintiff Applicant Patients submit that persons who would otherwise have been medically-qualified under the *MMAR* but whom are not provided responsive and effective remedies by the Exemption Order fall into the following general categories:

- i. Patients, like Ms. Beemish and Mr. Hebert, who had a valid production but not possession licence on the Cutoff Dates but who require, for a variety of possible reasons, administrative changes (e.g. a change in the production site) in order to be able to continue to lawfully supply themselves or their patient if a DPL with their medicine;
- ii. Patients, who had valid production and possession licence's on the Cutoff Dates but who, for a variety of possible reasons (e.g. an unrelated fire at the site requiring them to move to a new site) have to be able to move their site in order to be and to continue to produce and obtain their medicine.

For a variety of examples of problems experienced by "medically approved patients" who fell through the cracks or experienced problems since the Exemption Order, see the affidavits of Jason Wilcox, sworn August 1, 2014, including exhibits 'A' through 'BBB'; **Danielle Lukiv, sworn October 16, 2014, including exhibits 'A' through 'T' (Attached)** filed in the Federal Court of Appeal in support of a motion to adduce new evidence on appeal, that was dismissed by that court, as failing to meet the test for the admission of such evidence on appeal. The Defendant submitted to that court, that that application should have been placed before this court by way of a motion to vary.

21. It is submitted that medically approved Patients falling into these categories are subject to the same irreparable harms as those Patients who qualify under the Exemption Order including the harms caused by the inability to afford their medicine.

22. As the evidence before the court on the injunction proceedings demonstrated, 54% of medical-cannabis Patients surveyed are sometime or never able to purchase sufficient quantities of medicine and one-third are forced to choose between medicine and other necessities such as food. Order paragraph 35.

23. If able to produce for themselves (or have a caregiver produce for them) under the *MMAR*, the Court found that for these Patients "their cost of production in



conjunction with their daily rate of consumption and their monthly income, allows them to live within their means.” Order paragraph 93.

24. If not permitted to be self-sufficient in this way, the Court found that “the cost to the Applicants of obtaining marihuana from an LP would exceed their incomes or consume an unacceptably large portion of it. I find that this would either leave them unable to legally access marihuana for medical purposes in accordance with their physician’s authorization, or without the financial means to provide for themselves otherwise.” Order paragraph 94.

25. Ms. Beemish fits squarely into this category. Buying medicine from an LP represents a massive increase in cost: “even a cost of \$5 per gram is a tenfold increase in what it costs Mr. Hebert to produce marihuana for Ms. Beemish.” Ms. Beemish has a Canada Pension Plan disability pension of \$596.73 monthly. She consumes 2 – 10 grams of cannabis per day, representing a daily cost at the lowest end of LP pricing of \$10 - \$50 per day or approximately \$300 - \$1500 per month, well beyond her means. Order paragraphs 24, 27.<sup>5</sup>

26. Despite this finding, the Exemption Order did not provide a remedy that was/is responsive to and effective at ameliorating these harms for all. The Court was aware that, due to their change in residence on October 30, 2013 coupled with the *MMPR*’s cut-off date for renewing *MMAR* production licencing (September 30, 2013) Mr. Hebert, although his DPL licence was covered by the Order, he was no longer able to lawfully produce medicine for Ms. Beemish. Also, as it turned out, Ms. Beemish’s ATP expired January 4, 2014 and was therefore not covered by the Exemption Order. (Order paragraph 26. *MMPR* sections 234, 237, 242, 243)

27. Justice Manson did not identify any legal or factual reason to exclude Patients like Ms. Beemish from the Exemption Order.

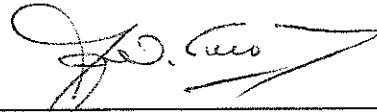
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<sup>5</sup> And at average LP pricing of \$10 per gram, the cost skyrockets to \$600 to \$3000 per month, well beyond what is affordable. Order paragraph 27

28. The Applicant/Patients/Plaintiffs submit that Justice Manson, on reconsideration should:

- A. Order that all Patients that hold a valid Authorization to Possess (ATP) on **March 31, 2013** (instead of March 21, 2014, to allow for the annual renewal process in the *MMAR*) or, in the alternative, on the **September 30, 2013** transition date, are covered by the Exemption Order, so that all medically approved patients under the *MMAR*, such as Ms. Beemish and others similarly situated, were and are protected by the interim Exemption Order;
- B. Order that all Patients exempted by the Order, such as Mr. Hebert and Ms. Beemish, and others similarly situated, can change the address of their production site by simply filing a change of address form with Health Canada (as was permitted pursuant to the *MMAR Regulation 46*) or such other agency (such as the police) chosen by the Defendant Government of Canada pending trial.

DATED: December 22, 2014



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## **Marihuana Medical Access Regulations**

SOR/2001-227

### CONTROLLED DRUGS AND SUBSTANCES ACT

Registration 2001-06-14

**46.** (1) A person who applied for a licence to produce shall submit an application to the Minister to amend the licence if the person proposes to change the location of the production site or the production area.

(1.1) An application concerning a proposed change in the location of the production site shall be submitted on or before September 30, 2013.

(2) The application under subsection (1) shall include

(a) the licence number;

(b) in the case of a proposed change in the location of the production site, the full address of the proposed new site, the date on which the change takes effect and supporting reasons for the change;

(c) in the case of a proposed change in the production area, the proposed new production area, the date on which the change takes effect and supporting reasons for the change; and

(d) the material required under sections 27 and 28 or sections 37 to 39, whichever apply.

Court File No : A-174-14

**FEDERAL COURT OF APPEAL****BETWEEN:****HER MAJESTY THE QUEEN IN RIGHT OF CANADA****Appellant****AND:****Neil ALLARD, Tanya BEEMISH, David HEBERT and Shawn DAVEY****Respondents****AFFIDAVIT OF DANIELLE LUKIV**

I, Danielle Lukiv, Legal Assistant at the law firm of Conroy & Company, 2459 Pauline Street, Abbotsford, British Columbia, MAKE OATH AND SAY AS FOLLOWS, THAT:

1. I am a legal assistant to John W. Conroy, Q.C., counsel for the Plaintiffs (Respondents/Appellants by way of Cross Appeal) and as such have personal knowledge of the matters and facts hereinafter deposed to, except where stated to be based on information and believe, and where so stated I verily believe them to be true.
2. Now produced and marked as Exhibit "A" this my Affidavit is a copy of a letter dated August 2<sup>nd</sup>, 2014 received from Mary McCarty, registered *MMAR* patient who was covered by the Court ordered injunction of March 21<sup>st</sup>, 2014 of Mr. Justice Manson, but subsequently had a fire at her home where her production site was also located, but the fire was not caused by her production, but by a clothes dryer. Consequently as a result of the fire she has lost her production site and this has significantly impacted her health and while she has another site as an option she is unable to change the site because the injunction does not permit her to do so. She remains a medically approved patient

entitled to reasonable access but cannot afford the Licenced Producer costs and now produced and marked as Exhibit "B" to this my Affidavit is a letter of August 5<sup>th</sup>, 2014 from Lubnow Restoration (Patrick Laberge) confirming that the fire was caused by the clothes dryer.

3. Now produced and marked as Exhibit "C" to this my Affidavit is an email of August 7<sup>th</sup>, 2014 from Michael McNamara that was copied to numerous others and that essentially is contacting the law firm of Conroy & Company seeking representation with respect to the inability one of the Licenced Producers namely Peace Naturals to essentially provide him as a registered patient with reasonable access to the medicine that he required on a timely basis and his complaints are set out specifically in his email, including references to the problems others have experienced.

4. Now produced and marked as Exhibit "D" to this my Affidavit is an email dated August 5, 2014 from Nicholas Wall who is medically approved but who changed his address due to the Health Canada letter that is the subject of the class action lawsuit alleging a privacy breach and he had a designated grower produce for him, but now has discovered that he was not permitted to move and is not covered by the injunction at his new site because he cannot store at his new residence and therefore his designated grower cannot send his medicine to him anymore or until this issue is resolved.

5. Now produced and marked as Exhibit "E" to this my Affidavit is a copy of an email from Travis Lane on behalf of himself and his wife explaining how they have been impacted by the letter that Health Canada sent to all patients in November 2013 that is the subject of a class action law suit for invasion of privacy and how that caused them concern for their safety so they moved but too late to effect an address change under the change in the Regulations. Consequently they are unable to continue to produce for themselves in accordance with their previous licences and have been resorting to a supply from the illicit market and are concerned about quality of the medication. Further the concern is expressed about the 150 gram a day limit due to the nature of their licences and how it prevents them from going away for more than 3 days.

6. Now produced and marked as Exhibit "F" to this my Affidavit is a copy of an email

from Chad Parkins that indicates that as a result of the change in the program his landlord would not renew his lease believing that all permits were expiring. Consequently he is unable to continue to produce without an ability to change his location or obtain a new location. Further he indicates that the 150 gram possession cap causes problems for him given the nature of his authorization and that he works out of town and consequently cannot take enough with him when he is doing that.

7. Now produced and marked as Exhibit "G" to this my Affidavit is an email dated September 10<sup>th</sup>, 2014 from A. Daniel Muse with respect to his experiences in obtaining his medicine under the *Marihuana for Medical Purposes Regulations (MMPR)* from one of the Licenced Producers. In this case from the Licenced Producer Mettrum. Mr. Muse says that as a result of his inability to obtain an adequate supply from Mettrum he has apparently resorted to a black market source to meet his needs and is concerned as to what will happen if that source's package is intercepted. His complaint is obviously that the *MMPR* system is not providing an ongoing adequate and viable supply for his needs.

8. That I am informed by William (whose last name is being withheld for public safety and security reasons, at his request due to a number of incidents involving people pestering him at or near his property) and verily believed it to be true that he is a "medically approved patient" that was previously authorized under the MMAR (and is now *MMPR* client user 14-0075) to possess cannabis (marihuana) for his post traumatic stress disorder (PTSD) and his last authorization to possess expired on July 29, 2014, making him eligible to continue to possess under the MMAR pursuant to the order of Manson J. of March 21, 2014. He also had a designated grower (DG), but that growers permit expired on July 29, 2012 and the grower did not seek to renew because the production site was robbed, resulting in a total loss so he never started up again. William temporarily obtained his medication through the government supply (Prairie Plant Systems) and through the black market.

9. Consequently, when the *MMPR* came into effect he took his MMR authorization to possess (ATP) and he signed up under the *MMPR* with a licenced producer (LP) named

Canna Farms, which is located at Maple Ridge B.C. However, when the Licenced Producer shipped his medicine to him via Canada Post the representatives of the latter, apparently alleged that they smelled cannabis (marihuana) so they redirected the package to Scarborough, Ontario where their investigatory unit is located. William told me and I verily believe it to be true that he spoke to a representative of Canna Farm whose name was Ray Laflamme and they discussed a rule that if cannabis (marihuana) that has been shipped is missing for 10 days , that one needs to report it and this missing shipment was never reported.

10. On September 14<sup>th</sup>, 2014, William said that he received an email from Canna Farms saying that Canada Post had redirected the package back to him and he should be getting it that week. In the result William went for weeks without his medicine simply because Canada Post representatives claimed that they smelled cannabis coming from the package, which apparently is one of the main ways that the MMP regulations require this medicine to be shipped to patients. Canada Post then redirected it somewhere for investigation and the patient had to go without his medicine for up to 30 days while they determined what to do and he had to go through the process of contacting them in order to get the medicine back to him. So he was approximately 5-6 weeks without any medication and this meant that he had to go back to prescribed drugs with significant side effects. Now produced and marked as Exhibits "H" – "Q" are the emails between Canna Farms and Will regarding same:

"H" March 5 – 10, 2014 emails between Will and Canna Farms advising Canna Farms received Will's forms and Canna Farms request to Health Canada for verification;

"I" May 23<sup>rd</sup>, 2014 order confirmation from Canna Farms;

"J" May 26<sup>th</sup>, 2014 shipping confirmation from Canna Farms;

"K" July 2<sup>nd</sup>, 2014 emails between Will and Canna Farms inquiring about the status of the order.

"L" July 29<sup>th</sup> – 30<sup>th</sup>, 2014 emails between Canna Farms and Will regarding a second order.

"M" August 11<sup>th</sup>, 2014 email from Canna Farms to Will regarding a further order.

"N" September 2<sup>nd</sup> – 3<sup>rd</sup>, 2014 emails between Ray Laflamme and Scott Greaves of Canada post regarding Canada Post seizing a package and forwarded to Will by Ray Laflamme;

"O" September 10<sup>th</sup>, 2014 emails between Will and Canna Farms asking if Dr. Coupland's office was aware of the interruption in treatment as a result of the seizure and Canna Farms saying no they had not contacted him.

"P" September 15<sup>th</sup> – 17<sup>th</sup>, 2014 emails between Will and Ray Laflamme regarding the lost package advising that one had been delivered on September 15<sup>th</sup>, 2014.

"Q" September 23<sup>rd</sup>, 2014 email from Canna Farms to Will showing that the last package was delivered.

11. William's doctor is Dr. and Prof. Nicholas Coupland, with the Department of Psychiatry, Faculty of Medicine and Dentistry at the University of Alberta. Dr. Coupland specializes in PTSD. He is recognized as a clinical and research expert in the field. He has assessed William as one of the most severe cases that he has seen in his practice. The source of William's PTSD is military service as a flight medic. He has authorized William to use up to a 45 g a day after not responding to standard treatments and other treatments, such as augmentation with a variety of atypical antipsychotics, which led to severe weight gain and morbid obesity. William managed to subsequently lose weight through an obsessive fitness regime. He received regular psychological treatment from an experienced psychologist. He went through treatment trials of other agents as add-ons to bupropion, which was his best tolerated antidepressant, including clonidine, prazosin, zopiclone, lorazepam and temazepam, without improvement.



12. William first received some clinical improvement with a trial of Nabilone in 2010. His symptoms improved noticeably although some worsened. Those symptoms improved when he tried smoking cannabis on the recommendation of a friend. This led to a marked increase in his sense of well-being and a further reduction in his PTSD symptoms including his appetite, motivation and drive. He still experienced respiratory symptoms and inconsistent control of his PTSD symptoms when he found it difficult to use cannabis due to circumstances. In conjunction with a pharmacist the cannabinoids from the plant were extracted into warm milk, which involves separating the trichomes (which contain most of the cannabinoids) from the plant residue, and then extracting from the trichomes in warm milk. This had the advantage that the administration and absorption rate was lower and symptom control, more stable. William does not feel or appear "high" or "stoned". Using it in milk instead of by way of smoking has eliminated embarrassment and pestering when he was in public if he was smoking or there was a smell as he has been subject to verbal abuse and even had a cup of coffee thrown on him. The disadvantage is that the extraction is much less efficient and larger quantities of material are required to achieve a good clinical response. He obtained Health Canada authorization to possess the necessary amount for his daily dose from 2012 to 2014. While his PTSD is not remitted he has had a very substantial improvement in his symptoms, health and quality of life under this treatment plan, according to Dr. Coupland. William has gone through a driving assessment and passed confirming that any cognitive side effects are insufficient to impact is driving.

13. Under both the injunction order in these proceedings and the *MMPR* regime William can only have or possess 150 grams on him when he goes out and about so he will have to get many deliveries and will be housebound 3 days a week at a minimum in a perfect scenario. He has had a package being shipped to him impounded because it contained more than 150 grams in it and has had some concerns about the quantity expressed by the police over this issue. William anticipates that due to the cost of purchasing cannabis from the LP that ultimately he would like to learn to produce his own to reduce his costs accordingly.

14. Now produced and marked as Exhibit "R" to this my Affidavit is a copy of a letter from Veterans Affairs Canada dated September 11<sup>th</sup>, 2014 to Dr. Coupland with respect to William and his coverage under the Veterans Affairs Canada Treatment Benefits Program which also contains, commencing at page 3, the response of his physician Dr. Nicholas Coupland and to which is attached the medical legal report of Dr. Coupland of April 30<sup>th</sup>, 2014 directed to Veterans Affairs Canada. That report sets out in detail the PTSD problems experienced by William as a result of his military service, how effective it is compared to all other medications that have been tried, underscoring the importance of him being able to access cannabis without interruption by Canada Post or otherwise, how the 45 gram per day prescription is justified based on his method of consumption and the nature of his condition and how that will obviously cause problems for him if he is to be away from his storage site and only permitted to possess 150 grams on his person at a time, which would essentially limit him up to 3 days away from that site and nothing further.

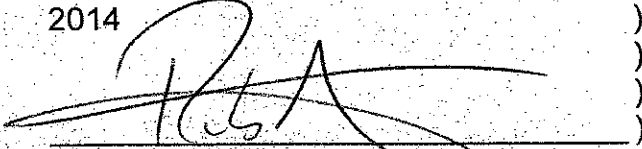
15. Now produced and marked as Exhibit "S" to this my Affidavit is a copy of an email from Lorne Russell Barth dated June 6, 2014 as an example of a couple both of whom had permits and had designated growers who shut down before the injunction was obtained and are now unable to renew to produce for themselves or have a new designated grower or to move their site and outlining the different issues that have arisen impacting them under the injunction that caused them various problems.

16. Now produced and marked as Exhibit "T" to this my Affidavit is a copy of pages 30-33 (questions and answers 71-73) of Exhibit "A" of Affidavit #2 of Jeannine Ritchot, Senior Director of Surveillance and Analysis with the Public Health Agency of Canada setting out her answers to questions dated July 25<sup>th</sup>, 2014 submitted by Plaintiffs in the action and sworn by her on the 13<sup>th</sup> day of August 2014 and these are some of the questions from that Affidavit relating to the status of existing Licenced Producers under the MMPR as of that time.

17. I swear this Affidavit in support of a Motion to adduce new evidence on the Cross Appeal from the decision of Manson, J. made the 21<sup>st</sup> day of March, 2014 in relation to

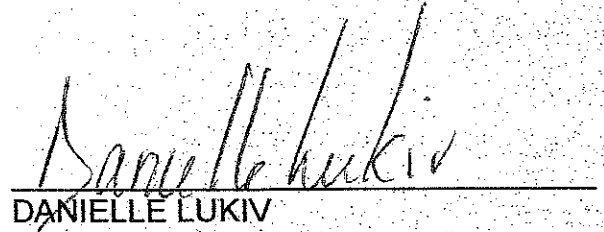
those not covered by the injunction for one reason or another and to update the Court on events that have transpired since the Order below regarding patients and licensed producers.

SWORN BEFORE ME at the City )  
of Abbotsford, in the Province of )  
Ontario, this 16<sup>th</sup> day of October, )  
2014 )



A Commissioner for Taking Affidavits in )  
and for the Province of British Columbia )


RUBINDER (ROB) DHANU  
DHANU DHALIWAL LAW CORPORATION  
2459 Pauline Street  
Abbotsford, BC V2S 3S1  
Telephone: 604-746-3330  
Facsimile: 604-746-3331

  
DANIELLE LUKIV

August 2nd

2014

Mary McCarty  
1109 Trafalgar Street  
London, Ontario  
N5Z 1G9

This is Exhibit "A" returned to the  
the affidavit of Darville Lukic  
sworn before me at Abbotsford, BC  
this 16th day of Oct 2014  
  
A Commissioner for Labour Affairs  
for British Columbia

To whom it may concern:

I Mary McCarty, am a registered MMAR patient.

My License number is PPL # APPL-MIM-06-M51131353-57-13A Expires 17 May 2014, and my ATP APP #APPL-mIM-06-M5113153-57-13-A Expires May 17 2014. I am one of the few patients that were included into the federal injunction.

I am writing this letter, in response to the restrictions on our carry limit as well as being unable to register a new address.

I've been a business owner in the cosmetology industry for over 30 years , which I've owned and operated 3 hair salons and had a position as a teacher in post-secondary training.

I became unable to work and drive due to Pseudo-seizures triggered by Post Traumatic Stress Disorder. I also suffer from Scoliosis and chronic pain due to severe tendonitis and carpal-tunnel.

I have used Cannabis for a good amount of my life, and without knowing its medicinal benefits it had prevented my seizures since childhood. I didn't fully realize what sort of medicinal effects it had on me until later in my life when I became ill again. I had stopped using Cannabis when I obtained my teaching position, as I had not looked at it as a medicine at that point in time. This was when my seizures started to come back, and my PTSD was really beginning to affect me again. My son had been quite involved in trying to help me get better and had researched the benefits of using Cannabis, hinting towards my illness resurfacing due to no longer consuming Cannabis on a day to day basis. I had been prescribed many anti-seizure medications and suffered greatly form the side affects. I decided to have faith in my son's research ( and some research of my own) and go back to using Cannabis daily. From that day forward my daily amount of seizures decreased exponentially, eventually becoming ZERO. I hadn't had a single seizure in over a year which allowed my to get back my driver's license.

From these great results, I decided to continue my research and pursue a legal possession license - as the risk of continuing to medicate illegally just didn't sit right with me. In the midst of taking an application to possess, I had been educated on the availability of Personal Production Licenses. With the

large cost involved with self-medicating, the benefits of producing my own were great. So, I filed and application for a PPL as well as and ATP with hopes that owning my own home would allow me to be approved for both.

I was officially approved for both licenses. I soon found great therapy in taking care of my room. Also, I felt more secure in using this Cannabis as I knew how it was grown and that it would be healthy for me to consume. I produce my Cannabis organically just as I would my own tomatoes or vegetables.

More recently, shortly after the Federal Injunction took place allowing me to continue to produce my medicine - I experienced a fire in my home. It had absolutely nothing to do with my room as I had ensured everything was up to code and running safely. The cause of my house fire was lint build up in my drier. (determined by a fire origins investigator) I have been told is one of the most common causes of house fires and that you should have this appliance serviced annually to remove lint from inside of it. Thankfully my son woke up to smoke alarms, and reacted quickly saving us from losing our entire home and pets, perhaps even our lives. But, the damage had been sufficient enough for us to need relocation and a full restoration of our home.

Since the incident happened shortly after the Injunction took place I had not been able to set up and produce any more of my medication. I have been struggling to stay healthy from my illness due to being unable to have a consistent source of medication at a low cost. I am unable to work and have a very limited income. Being in this situation has put me in unmeasurable amounts of stress and I have even started to experience minor seizures again. At a great inconvenience to me and my son I have felt it is unsafe for me to drive. I now remain stuck at my hotel unless someone can chaperone me to a friends place or I decide to go for a long walk which takes a great toll on my body.

I have a friend who would be willing to register their address for me to produce my medicine, but I am unable to due to the change in regulations and the system through the Supreme Court and Health Canada. There are many other patients suffering from the same set back. Our lives and our health are at stake here, and being on a fixed income - the new system and regulations are not a means for reasonable access to our medication. This is a denial of our constitutional rights as Canadian Citizens. I hope and pray that someone in a position to change this will see how much of failure this new MMPR system is. I understand that there needs to be a controlled program in place but the main point of focus for this program needs to be our right to reasonable access to medication - the MMAR program was much closer to the mark when it came to this focus. Irresponsible use of a substance can exist with anything, and punishment for such actions should not effect the entire group as a whole. My specific situation just goes to show that with the proper equipment and care, you are at a greater risk of a house fire from something as simple as your laundry machine. That being said, risk of fire should not be a controlling factor in the decision to allow patients to produce Cannabis for themselves.

Attached is a document from the restoration company dealing with my home, stating that the origin of the fire was in fact my drier.

Thank you for your time and consideration.

Sincerely,

Mary McCarty



August 5, 2014

Mary McCarty  
1109 Trafalgar St.  
London, ON N5Z 1G9

RE: Fire at above property

Dear Mary McCarty,

We first attended the above property on April 16, 2014 to inspect the damages resulting from a fire. The fire started in the basement utility room and the apparent cause of loss was from an electric clothes dryer. The resulting damages affected every room in the home.

Should you require anything further please let us know.

Regards,

Patrick Laberge

This is Exhibit B as referred to in  
the affidavit of Danielle Laker  
sworn before me at Abbotsford, BC  
this 11th day of Oct 2014

A Commissioner for Labour Affidavits  
for British Columbia

**From:** Michael McNamara [mailto: [REDACTED]]  
**Sent:** Thursday, August 07, 2014 10:15 AM  
**To:** John Conroy  
**Cc:** 'Mario Jalbert'; meierclayton@yahoo.com; 'Mark'; 'Mark Leither'; 'D V'; dlambert@fmo.ca; 'Todd Hirsch'; tom@ammonite.com; bmsallows@hotmail.com; rahi@thebigleaf.com  
**Subject:** Requesting Personal Injury Case / Mass Tort on Contingency Arrangement  
**Importance:** High

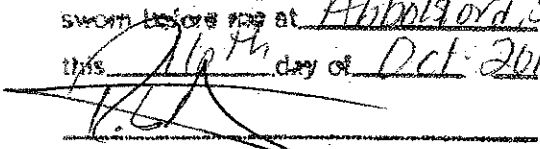
**Hello Mr. Conroy,**

**My name is Michael McNamara and I am a current registrant of the MMPR Program (Marijuana for Medical Purposes Regulations). In March of this year, the 40,000 clients were hastily dispersed to new suppliers by Health Canada. This was dubbed, "Transition to New Regime of Suppliers". Health Canada approved 13 suppliers for this phase. Most of them were not prepared and this is where the pain and suffering begins. I am contacting you because I am seeking a firm that can take this case on a contingency basis. Medical clients are not getting their medicine and the parties responsible are not responsive. I have CC'd all the clients we have gotten together up to this point. We have been using my email as a temp hub for communication.**

Here's the situation: Peace Naturals, a Licensed Provider (LP) approved by Health Canada's MMPR program, has taken on way more clients than they can medically accommodate. I have been with Peace Naturals since January of this year, and after a slew of problems with this company my membership was unrightfully terminated, like so many others. For 7 months, they have affected everything from my finances to my health, to my personal security. Myself and countless others are now resorting to the street for our medicine, risking our personal security. Numerous attempts by clients to contact both Health Canada, and Peace Naturals were ignored. And because Peace Naturals is attempting to silence the clients, serious complaints are now surfacing all over the internet. Google "Peace Naturals" complaints or "Peace Naturals Reviews". That will give you the motherload. Many of which outline how Peace Naturals affected them **MEDICALLY** and **FINANCIALLY**. And we think it's time someone answer to this negligence.

1

This is Exhibit "C" referred to in  
 the affidavit of Danielle Lukiw  
 sworn before me at Abbotsford, BC  
 this 16th day of Oct 2014



A Commissioner for Taking Affidavits  
 for British Columbia

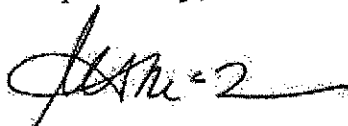


CEO's former... story about a client who had been... by Peace  
Naturals (<http://www.cbc.ca/news/canada/nova-scotia/medical-marijuana-users-concerned-about-drug-supply-1.2692509>). Sam suffers from degenerative discs and glaucoma and was sent no product after paying for it. More than a month later, they received only 30 grams of their order. After all that, only a third of their medicine provided. And no compensation. Same sort of thing happened to me, when I returned "bad product". The CEO committed to replacing it, and never did. Instead, he allowed his VP of Client Care to spitefully terminate my membership with Peace Naturals. My only source of medicine mind you. 115

Peace Naturals could not manage the mounting complaints, so they resorted to getting rid of "difficult" clients. I found others online who were dismissed in this same way. One of them, was a Multiple Sclerosis sufferer, Dan V. He posted a very "expressive" video on YouTube which elicited several comments from current/former clients. (<https://www.youtube.com/watch?v=wgQ9coq15U0>) Dan is also willing to share his experience with you, and is CC'd on this correspondence. His condition worsened during his time with Peace Naturals. And my anxiety and stress was only compounded by back-to-back problems with Peace Naturals for months on end. It's not been an easy road for us this last several months. Draining really...and we need your help.

**The bottom line:** Peace Naturals committed to providing for their medical clients and have not. They are constantly out of stock and most times are not even answering their phones or replying to emails. The numbers of clients NOT getting their medicine is outrageous. And the mistreatment of clients, due to the lack of stock, is now out of control. This transition should never have been allowed to happen his way. I had contacted Peace Naturals several times pleading with them to be more transparent and let the client know what's going on so we can make other arrangements to secure our medicine. Never once were the clients advised of the situation at hand. And this was to maintain the client base until the investors deal was signed. What we have here is a simple case of Mark Gobuty acquiring a significant client base so he could acquire a significant expansion deal with M-Partners: <http://peacenaturals.com/peace-naturals-project-inc-closes-private-placement-offering-of-class-a-shares/> In other words, Mark Gobuty exploited clients of a medical program just so he can become a "leader in the market". A basic investigation into this matter will expose hundreds, maybe even thousands of cases that relate to personal injury, and tort law. I feel that Health Canada is also legally responsible for the position clients of the MMPR program now find themselves in. Not sure how all this works, but both parties (Health Canada AND Peace Naturals Project Inc.) should be held accountable. If you feel that the clients may have a case here, please contact me via email at [mdmcmamara@eastlink.ca](mailto:mdmcmamara@eastlink.ca) or 902-444-2774.

Respectfully,



Michael Daniel McNamara

Danielle Lukiv

Subject: FW: Medical marijuana injunction

From: JeebZ [REDACTED]  
Sent: Tuesday, August 05, 2014 3:07 PM  
To: John Conroy  
Subject: Medical marijuana injunction

To whom it may concern,  
My name is Nicholas Wall. I have a rare case of congenital glaucoma and I'm one of the 40,000+ patients involved in the breach of privacy class action lawsuit. This month I changed residence from the address listed on my medical marijuana certificate. Because of this health Canada has informed me that I'm no longer protected by the injunction and because of this cannot continue to receive marijuana from my designated grower. This is a problem as I now have no way of obtaining my medicine and will have to resort to finding illegal means and a highly inflated rate putting my freedom & potential jeopardy. Had I known this would be the outcome I never would have chose to move but now there is no turning back. Is there anyway around this to protect my rights during this injunction? Can I add to my claim the inevitable complete loss of quality of life because of this bureaucratic oversight? I feel hopeless and fearful of the weeks to come when I can't be properly medicated. I patiently await your reply with any information you have to offer.  
Thank you very much for your time today.

Sincerely,  
Nicholas Wall

This is Exhibit - D - received by m.  
the affidavit of Danielle Lukiv  
sworn before me at Abbotsford, BC  
this 16<sup>th</sup> day of Oct 2014  
A Commissioner for Taking Affidavits  
for British Columbia

Travis Lane  
IP: 24.69.216.187

First Name: Travis  
Last Name: Lane  
Address: [REDACTED]  
City: [REDACTED]  
Province: BC  
Postal Code: [REDACTED]  
Phone: [REDACTED]  
E-mail: [REDACTED]  
MMAR Permit Number: APPL-TML-04-L21901502-79-13-A

This is a true and correct copy of the affidavit of E. [REDACTED]  
sworn before me at Abbotsford BC  
this 10th day of Oct 2014

A Commissioner for Taking Affidavits  
for British Columbia

Statement:

To whom it may concern,

Both myself and my wife have been affected by the injunction's lack of coverage for address change, and the reduction of our carry limits.

We were renting a space from a fellow MMAR patient when the letters that contained the breach of privacy were sent by health Canada. There were at least five separate letters sent to the property with 'Medical Marijuana' obviously stated on the outside.

Concerned for our safety, we decided to move. We sent in a change of address request by registered mail in late March, but we got the paperwork back from Health Canada unopened.

As of now, we are unable to grow our own meds, which has created a great financial burden. We can produce for about \$1 a gram or less. We use a living soil/organic method that requires no fertilizer or pesticides, which greatly reduces our costs and increases the final quality of the medicine. As of now, we are forced to pay \$5-\$10 per gram for our meds, and we have no idea what they might be fed or sprayed with.

As for the carry limits, we are each licensed for 80 grams per day. We don't always consume that much, but we are unable to legally carry more than 3 days worth of meds at a time. Any trip out of town requires that we lower our consumption in order to make it last.

In all, we are both happy that the court has seen it necessary to address the issues created by demolishing the previous, functional system. The injunction has addressed the concerns of many, but it seems that we have fallen through the cracks. Our hope is that the court will understand that the security breach caused by Health Canada was created a dangerous environment for us, so a move was necessary. This should, in our opinion, be addressed by the courts.

Thank you,

Travis Lane

I am aware that I am giving my information to the coalition via John Conroy's Office for this legal matter:  
YES

Signature:

Travis  
Lane

---

Date:  
M: 06  
D: 30  
Y: 2014

Chad Parkins

IP: 209.91.107.187

First Name: Chad

Last Name: Parkins

Address: [REDACTED]

City: [REDACTED]

Province: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

MMAR Permit Number: APPL-CP-12-P25241716-76-13-B

Statement:

I have recently moved because my landlord wouldn't renew the lease due to the permits expiration through health Canada. Also my daily usage is over 5 grams a day so it is hard to manage pain while working out of town, I was able to carry 900 grams before.

I do not exactly know which permit number you are looking for the other is MMAD-112168-13

I am aware that I am giving my information to the coalition via John Conroy's Office for this legal matter:  
yes

Signature:

Chad  
Parkins

Date:

M: 07  
D: 15  
Y: 2014

This is a true and correct copy of the affidavit of Danielle Lukin sworn before me at Abbotsford BC this 21<sup>st</sup> day of Oct 2014  
[Signature]  
A Commissioner for Taking Affidavits  
for British Columbia

**From:** Dan Muisse [REDACTED]  
**Sent:** September-10-14 8:01 AM  
**To:** Reception  
**Subject:** Inquiry

Mr. Conroy & Associates

My name is A. Daniel Muisse. I possess a prescription for marihuana and was referred to you by a friend who lives on the west coast. I have a concern that I'm hoping you can assist with in terms of informing me of the proper procedure to adapt.

I receive product from Mettrum. Of the 16 strains they advertise only 3 are currently available and that is a true reflection of availability on a regular basis. Whenever the applicable strains for my specific use become available they sell out in moments. I am notified by email when this is about to happen and spend an hour on hold waiting to speak with someone who can take my order. But availability is sporadic at best. The strains suited for my purposes have not been available for months. They are refusing to take on new clients due to restricted amounts of product.

When I speak to a company representative I am told, "That should be available next week," but months go by. I am forced to pursue other options in order to obtain the product I need.

My question is this. If I am forced to obtain product from a source other than with whom I am registered where does this put me "in the eyes of the law?" I obtain this from a licensed grower who cannot be named as my designate but supplies me with organically grown product strains to assist in my ailments. If, during a shipment, this was intercepted what rights do I have to retain possession of the product?

I appreciate any guidance you can offer. The federal government is obviously not providing anywhere near the licenses required to fill the demand for medically grown marihuana and we're the ones suffering because of it.

kindest regards  
A. Daniel Muisse

This is a true and correct copy of the original document.  
I, Danielle Lukin  
swore before me at Abbotsford BC  
this 11th day of Oct. 2014  
[Signature]  
A Commissioner for Taking Affidavits  
for British Columbia

This is Form # H as required by the  
that affidavit of Sapielle Lukin  
sworn before me at Abbotsford, BC  
this 16th day of Oct 2014  
[Signature]  
A Commissioner for taking affidavits  
for British Columbia

Begin forwarded message:

**From:** Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** March 10, 2014 at 9:19:16 AM MDT  
**To:** Will [Redacted]  
**Subject:** Re: forms

Hey Will,

We have sent a request to Health Canada as part of our required verification check for your ATP.

Once we hear back from them, we give you a client ID number, which I will relay to Veteran Affairs who will then send me the info relating to their coverage.

This will take roughly a week or so, but will be done before we have product available in may for sure.

Cheers,

Dan

On Mon, Mar 10, 2014 at 6:56 AM, Will [Redacted] wrote:  
Good morning curious what happens now???

On Mar 5, 2014, at 8:45 AM, Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)> wrote:

Hi Will,

Just to confirm we received your forms...

Cheers

Dan

---  
**Canna Farms Ltd.**  
PO Box 245  
Maple Ridge B.C.

V2X 7G1

1-855-882-0988

info@cannafarms.ca

122

**Canna Farms Ltd.**

PO Box 245

Maple Ridge B.C.

V2X 7G1

1-855-882-0988

info@cannafarms.ca



I hereby certify that the above is a true and correct copy of the original of Danielle Loukin  
signed by me at Abbotsford BC  
this 16th day of Oct 2014  
[Signature]  
A Commissioner for taking affidavits  
for British Columbia

Begin forwarded message:

**From:** "Canna Farms Ltd." <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** May 23, 2014 at 12:46:17 PM MDT  
**To:** [Redacted]  
**Subject:** Order confirmation for order #1041

Thank you for placing your order with Canna Farms Ltd! Your order will be processed 1-2 business days after payment is received.

This email is to confirm your recent order.

Date 05/23/2014

Shipping address

William [Redacted] 14-0075

[Redacted]  
[Redacted]  
Canada

Billing address

William [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

10x Master Kush Bud \$7.50/gram 20.8% THC | 0.04% CBD - 25 gram for \$187.50 each

Subtotal : \$1,875.00 CAD  
GST : \$93.75 CAD  
Shipping : \$0.00 CAD  
Total : \$1,968.75 CAD

This is Exhibit "J" received by me  
the affiant of Danielle Lukiv  
sworn before me at Abbotsford, BC  
this 11th day of Oct 2014  
[Signature]  
A Commissioner for Taking Affidavits  
for British Columbia

Begin forwarded message:

**From:** "Canna Farms Ltd." <[tracking@shipstation.com](mailto:tracking@shipstation.com)>  
**Date:** May 26, 2014 at 10:15:04 AM MDT  
**To:** [Redacted]  
**Subject:** Your order has been shipped!  
**Reply-To:** [tracking@shipstation.com](mailto:tracking@shipstation.com)



Dear William [Redacted] 14-0075,

Thank you for your order from Canna Farms Ltd.! We wanted to let you know that your order (#1041) was shipped via Canada Post, Xpresspost on 5/26/2014. You can track your package at any time using the link below.

**Shipped To:**  
William [Redacted]  
[Redacted]  
[Redacted]

**Track Your Shipment:** [8233791197272487](#)

This shipment includes the following items:

Item #	Description	Qty
140101-MKushBud25g	Master Kush Bud \$7.50/gram 20.8% THC   0.04% CBD - 25 gram	10

Thank you for your business and we look forward to serving you in the future!

**Canna Farms Ltd.**  
**Phone:** 1-855-882-0988  
**Email:**  
**Website:** [www.cannafarms.ca](http://www.cannafarms.ca)

This is a copy of the original document.  
 The affidavit of Karenelle Lukin  
 sworn before me at Abbotsford, BC  
 this 16<sup>th</sup> day of Oct. 2014  
[Signature]  
 A Commissioner for Taking Affidavits  
 for British Columbia

Begin forwarded message:

**From:** Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** July 2, 2014 at 10:33:18 AM MDT  
**To:** Will [REDACTED]  
**Subject:** Re: Hello hello over here!

Absolutely - we will call you within the next hour. Cheers!

On Wed, Jul 2, 2014 at 9:19 AM, Will [REDACTED] wrote:  
 Regret to hear your not well. I have attempted to call your office several times, if someone has the time to discuss my order that would be amazing, as I continue to navigate through this journey.

On Jul 2, 2014, at 9:42 AM, Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)> wrote:

Hi Will, never! We were away for Canada Day and I have been away sick. Sorry Will!

Do you want me to call you now? BTW, the website is fixed now and many individuals have been able to order with no problems from their phone.

I am deeply sorry for the inconvenience I have caused by not calling you! Please let me know.

Thank you,  
 Jasmin

On Wed, Jul 2, 2014 at 8:32 AM, Will [REDACTED] wrote:  
 Have I been forgotten ?

--  
 Canna Farms Ltd.  
 PO Box 245

This is Exhibit "L" returned to the  
 the affidavit of Danielle Luker  
 sworn before me at Abbotsford BC  
 this 14th day of Oct 2014

*[Signature]*

A Commissioner for Taking Affidavits  
 for British Columbia

Begin forwarded message:

**From:** Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** July 30, 2014 at 1:20:19 PM MDT  
**To:** Will [REDACTED]  
**Subject:** Re: VAC Order

Hi Will,

For this order, in order for you to get the full 150g covered by VAC, we cannot add the shake onto this order. The shake is only available in 30g packs, and the buds come in 25g. I would recommend ordering the shake on your own, as it is significantly less expensive than the bud.

Thanks, Will!

Cheers,  
 Canna Farms Ltd.

On Wed, Jul 30, 2014 at 8:09 AM, Will [REDACTED] wrote:  
 Is it possible to order shake? Or sample?

On Jul 30, 2014, at 9:06 AM, Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)> wrote:

Hi Will!

Thank you for your reply! I will send you the Master Kush for 150g. We will have more strains available in about 2 weeks, which will be perfect timing for your next order!

We will forward you the tracking number when the parcel is sent.

Cheers,  
 Canna Farms Ltd.

On Tue, Jul 29, 2014 at 3:36 PM, Will Macleod <[willmacleod@me.com](mailto:willmacleod@me.com)> wrote:  
 They both made it :) as you suspected I am distracted with personal matters. The Green Crack is not very useful request we avoid it if possible. Thank you for your follow up eh :)

On Jul 29, 2014, at 12:25 PM, Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)> wrote:

Hi Will,

I hope you are well and are enjoying the beautiful Summer weather.

I have noted that today is when we should place your next order for 150g, which will be covered by VAC. I am wondering if you would like to go with 75g of Master Kush and 75g of Green Crack, as you noted you would like the more expensive strains to be covered by VAC.

Please let us know and I will place your order today.

Have a great day!

Cheers,

**Canna Farms Ltd.**

PO Box 245

Maple Ridge B.C.

V2X 7G1

1-855-882-0988

[info@cannafarms.ca](mailto:info@cannafarms.ca)

--  
**Canna Farms Ltd.**

PO Box 245

Maple Ridge B.C.

V2X 7G1

1-855-882-0988

[info@cannafarms.ca](mailto:info@cannafarms.ca)

--  
**Canna Farms Ltd.**

PO Box 245

Maple Ridge B.C.

V2X 7G1

1-855-882-0988

[info@cannafarms.ca](mailto:info@cannafarms.ca)

This is Exhibit M received by me  
 the affidavit of Danielle Rubin  
 sworn before me at Abbotsford BC  
 this 16<sup>th</sup> day of Oct 2014

*[Signature]*  
 A Commissioner for Oaths & Affidavits  
 for British Columbia

Begin forwarded message:

**From:** Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** August 11, 2014 at 11:40:12 AM MDT  
**To:** Will [REDACTED], Will [REDACTED]  
**Subject:** VAC Order

Hi Will,

I just wanted to follow up with a voicemail that Dan left you earlier today. We are looking to place your VAC order ASAP, but wanted to clarify that you were wanting the most expensive strain. The most expensive available at this time is RockStar. This is \$8/g. We can ship you 150g of the RockStar first thing tomorrow, as we are very close to our shipping cut off for today. This means it will still get to you by the end of the week.

The new Master Kush, Green Crack, Kootenay Star and SuperBud will all be available mid next week, so we can try out different ones on your VAC order for the 25th.

Please let us know how you would like us to proceed.

Cheers,  
 Canna Farms Ltd.

—  
**Canna Farms Ltd.**  
 PO Box 245  
 Maple Ridge B.C.  
 V2X 7G1  
 1-855-882-0988  
[info@cannafarms.ca](mailto:info@cannafarms.ca)

This is to certify that I have received from the affidavit of Danielle Lukin sworn before me at Abbotsford, BC this 16th day of Oct 2014

[Signature]

A Commissioner for taking Affidavits for British Columbia

Begin forwarded message:

**From:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>  
**Date:** September 3, 2014 at 9:28:28 AM MDT  
**To:** [REDACTED]  
**Subject:** Fw: CANNA FARMS == URGENT  
**Reply-To:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>

Hi Will,

Thanks for calling me back last night.  
 I was driving home (in the truck) but I heard you real well.  
 Sorry about the log home deal falling through .....

I just received this message (below) from our commercial account manager at Canada Post.  
 The guy's name is Scott Greaves.

Also below is the original message I sent to Scott asking for his help in this matter.

I will keep you updated whenever something happens.

For your convenience, I have copied and pasted the details Canada Post has on file as related to your tracking number.  
Maybe it can help you somehow ???

2014/08/29	09:42	Edmonton	Item redirected to recipient's new address 1480
2014/08/27	13:50	Edmonton	Item available for pickup at Post Office 170
	15:09	Edmonton	Item transferred to Post Office, being prepared for pickup 1704
	14:16	Edmonton	Item being prepared for transfer to Post Office 1703
	13:46	EDMONTON	Attempted delivery. Notice card left indicating where item can be picked up. 1788

OLIVE  
PO

08-45 EDMONTON Item out for delivery  
0174

06-18 EDMONTON Item processed at local delivery facility. Learn More. The item has arrived at the destination facility for final sorting before delivery. Look for an "Out for Delivery" scan today or tomorrow to know when delivery will occur. You can also sign up for email notifications.  
0170

2014/08/26 19-49 EDMONTON Item processed  
0100

19-49 EDMONTON Item processed  
0100

02-20 RICHMOND In transit. Learn More. The item is travelling to its destination. It will remain in this state until it arrives at the final processing location. Typically, the final processing scan occurs on the expected delivery date or the day before at the local delivery facility. Check this date to know when we will attempt delivery.  
0175

Item processed

2014/08/29 09-42 Edmonton

Item redirected to recipient's new address  
1480

2014/08/27 15-50 Edmonton

Item available for pickup at Post Office  
1701 OLIVER P.O.

15-09 Edmonton

Item transferred to Post Office, being prepared for pickup.  
1704

00-18 RICHMOND

14-16 Edmonton

Item being prepared for transfer to Post Office.  
1703

13-46 EDMONTON

Attempted delivery. Notice card left indicating where item can be picked up.  
1488

08-45 EDMONTON

Item out for



delivery  
0174

Item processed  
at local delivery  
facility Learn  
More The item  
has arrived at  
the destination  
facility for final  
sorting before  
delivery. Look  
for an "Out for  
Delivery" scan  
today or  
tomorrow to  
know when  
delivery will  
occur. You can  
also sign up for  
email  
notifications.  
0170

06:18 EDMONTON

2014/08/26 19:49 EDMONTON

Item processed  
0100

19:49 EDMONTON

Item processed  
0100

In transit Learn  
More The item  
is travelling to  
its destination.  
It will remain in  
this state until it  
arrives at the  
final processing  
location.

02:20 RICHMOND

Typically, the  
final processing  
scan occurs on  
the expected  
delivery date or  
the day before  
at the local  
delivery facility.  
Check this date  
to know when  
we will attempt  
delivery.  
0175

Ray Laflamme, P.Eng.  
Cell = 604-339-0841

----- Forwarded Message -----

**From:** "GREAVES, Scott" <[scott.greaves@canadapost.postescanada.ca](mailto:scott.greaves@canadapost.postescanada.ca)>  
**To:** RAY LAFLAMME <[rlaflamme1212@yahoo.ca](mailto:rlaflamme1212@yahoo.ca)>  
**Sent:** Tuesday, September 2, 2014 3:47:08 PM  
**Subject:** RE: CANNA FARMS === URGENT

*Well Ray I am sorry to hear that your shipment was seized or redirected to the Undeliverable Mail Office. I have made a few calls and there is no indication why it was pulled, but I suspect that due to it sitting in the post office for a few days while waiting for the customer to pick it up, it started to stink. If they suspect that it contains Marijuana than it is policy for the employee to have it redirected to the UMO office since they do not know who you are or if you are licensed. The UMO office are the only ones that are allowed to open mail, so, when they receive it, they will presumably find your paperwork. I have asked them to forward it back to you as there is no legal reason to have it sent to the RCMP, as they would normally do. I will let you know as soon as I hear anything on this as I know it is a valuable parcel and the customer is waiting for it. I know this is not the answer you were hoping for, but I am working on it.*

Scott Greaves

Canada Post Corporation  
Commercial Sales  
5940 Ferguson Road  
Richmond BC , V7B 0B1  
Tel : 604-273-1606 ext. 21554  
Cell: 778-828-3024  
Fax: 800 467 4155  
[www.canadapost.ca/business](http://www.canadapost.ca/business)



Commercial Services Network: 1 866 757 5480 \* Electronic Shipping Tools Help Line: 1 800 277 4799 \*  
Credit Department: 1 800 267 7651

**From:** RAY LAFLAMME [<mailto:rlaflamme1212@yahoo.ca>]  
**Sent:** Tuesday, September 02, 2014 12:49 PM  
**To:** GREAVES, Scott  
**Subject:** CANNA FARMS === URGENT

Hi Scott or Other Person,

Our account number is 8233791.

We have a package that has been seized in Edmonton !!  
WHY, I don't know.

The service ticket is 111 744 835

The tracking number is 8233 7911 6912 4585

I NEED YOU OR SOMEONE ELSE TO FIGURE THIS OUT AND CALL BACK AS SOON AS POSSIBLE -  
!!  
PLEASE CALL BACK IMMEDIATELY !!

133

**This is VERY IMPORTANT and URGENT  
to Canna Farms.**

Ray Laflamme, P.Eng.  
Cell = 604-339-0841

Begin forwarded message:

**From:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>  
**Date:** September 3, 2014 at 4:59:22 PM MDT  
**To:** [REDACTED]  
**Subject:** CANNA FARMS == CANADA POST  
**Reply-To:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>

Hi Will,

**ITEM #1:**

Carley just put the Registration Amendment form in an envelope and I will mail it to you on the way home tonight.

**ITEM #2:**

ALSO, I just got this latest email from our commercial account representative.

*Ray, I got an email from the Undeliverable Mail Office and they will redirect the parcel to the recipient if it was shipped as per the guidelines. I told them that this was something you have a lot of experience with and that you are compliant with the shipping policy. I will let you know more when I get more detail.*

*Scott Greaves*

*Sent from my BlackBerry 10 smartphone on the Rogers network.*

**ITEM #3:**

Despite the above, I still recommend that you get your own PO BOX from Canada Post.

**NOTE:** I suggest that you DO NOT get you po box from a place like UPS, Mailboxes Etc., or other similar services.

I think that would confuse our plan.

Ray Laflamme, P.Eng.  
Cell = 604-339-0841

This is correct. - O - returned to the  
the affidavit of Danielle Lusk  
sworn before me at Abbotsford BC  
this 16th day of Oct 2014

A Commissioner for taking Affidavits  
for British Columbia

Begin forwarded message:

**From:** Canna Farms Ltd <[info@cannafarms.ca](mailto:info@cannafarms.ca)>  
**Date:** September 10, 2014 at 3:18:01 PM MDT  
**To:** Will [REDACTED]  
**Subject:** Re: Notification of interruption in supply

Hi William,

No we have not contacted Dr. Coupland's office about the recent weeks.

Cheers  
Canna Farms Ltd.

On Wed, Sep 10, 2014 at 9:55 AM, Will <[REDACTED]> wrote:  
Is Dr Coupland's office aware of the interruption in treatment as a result of recent weeks?

--  
**Canna Farms Ltd.**  
PO Box 245  
Maple Ridge B.C.  
V2X 7G1  
1-855-882-0988  
[info@cannafarms.ca](mailto:info@cannafarms.ca)

This is Exhibit P as referred to in  
 the affidavit of Danielle Lydio  
 sworn before me at Abbotsford B.C.  
 this 16th day of Oct 2014

*[Signature]*

A Commissioner for Swearing Affidavits  
 for British Columbia

Begin forwarded message:

**From:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>  
**Date:** September 17, 2014 at 4:38:30 PM MDT  
**To:** Will Macleod [REDACTED]  
**Subject:** Re: FIRST LOST PACKAGE  
**Reply-To:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>

Hi Will,

Just to set the record straight .....

When you say nothing came (below), I know you are referring to the second package. As we discussed on the phone, this package is still en route and we are expecting you to receive it tomorrow.

However this email is the subject of the first package, not the second package. I know this because you already picked up the first one on Monday Sept 15th.

Ray Laflamme, P.Eng.  
Cell = 604-339-0841

**From:** Will [REDACTED]  
**To:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>  
**Sent:** Wednesday, September 17, 2014 1:02 PM  
**Subject:** Re: FIRST LOST PACKAGE

Nothing came :(

On Sep 15, 2014, at 1:18 PM, RAY LAFLAMME <rlaflamme1212@yahoo.ca> wrote:

Hi Will,

Just got off the phone with Canada Post.

They have now sent you the FIRST package they intercepted. It is on its way from the Undeliverable Mail Office by Priority Post. He said it should arrive on Wednesday.

FYI: It was intercepted due to odors.

So we will be shipping any future packages without bags.

As for your second package, they are still investigating.  
Should know more tomorrow.

Ray Laflamme, P.Eng.  
Cell = 604-339-0841

This is a copy of a document prepared by the official of Danielle Lukiv sworn before me at Abbotsford BC this 10th day of Oct 2014

*[Signature]*

A Commissioner for Taking Affidavits  
for British Columbia

Begin forwarded message:

**From:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>  
**Date:** September 23, 2014 at 1:00:47 PM MDT  
**To:** Will [REDACTED]  
**Cc:** Canna Farms <info@cannafarms.ca>  
**Subject:** CANNA FARMS AND WILL MACLEOD  
**Reply-To:** RAY LAFLAMME <rlaflamme1212@yahoo.ca>

Hi Will,

I see you have received your last package.  
 Good job !!  
 I am happy you received it finally.

As we discussed a 2-3 weeks ago, we can no longer be shipping to your current address.  
 Safety and business reasons.

The only thing I need now that I have your new PO Box number is the Registration Amendment Form signed and dated by you.  
 You were to go to the bank next door to fax us the Registration Amendment form that I sent you.

When can you do this ???  
 I need that form in my hands before I can start shipping to your new address.

Ray Laflamme, P.Eng.  
 Cell = 604-339-0841





September 11, 2014

Dr. Nick Coupland  
8440 112 St. NW  
Edmonton, AB  
T6G 2B7

This is Form - R - returned to the  
that account of Danielle Lukin  
which letters are at Abbotsford BC  
this 16th day of Oct 2014  
  
A Commissioner of the Land and Air  
for British Columbia

Dear Dr. Coupland:

Re: WILLIAM [REDACTED] K6627467      DOB: August 21, 1964

The patient noted above is a client of Veterans Affairs Canada (VAC) and is eligible for its treatment benefits program. VAC is committed to ensuring their clients receive the most appropriate and beneficial health care for their needs.

VACs administrator, Medavie Blue Cross, performs Drug Utilization Reviews (DUR) on selected individuals and thoroughly analyses the patient's utilization patterns. The information, including prescription lists, is provided to the prescribing physicians which may facilitate their treatment planning.

We conducted a DUR on this patient and have identified an area of concern regarding possible effects of a particular pattern of use. The details are as follows:

**Medications:** Medical Marijuana  
**Concerns:** Use of Medical Marijuana 10 grams per day  
**Since:** 2011

If the drug utilization pattern is inappropriate, please advise us of your concerns and what treatment program you propose to take, or to whom you would like this case referred. If usage is in accordance with your directions, indicate the medical condition and the treatment regimen which warrants this degree of utilization and how long you expect this to continue. A response form has been enclosed for your convenience.

Once we receive your written response addressing all of the above-noted concerns, Medavie Blue Cross, on behalf of VAC, will provide an appropriate payment. Please send your response by mail or fax to the following address:



Veterans Affairs  
Canada

Anciens Combattants  
Canada

Medavie Blue Cross  
PO Box 220 STN LCD 1  
Moncton NB E1C 9Z9  
Attn: Federal Administered Programs

If by fax, send: Attention Drug Utilization Evaluation at 506-867-4651

We welcome any comments you may wish to make.

Sincerely,

*Danielle Maillet for*

Margaret Boswell, MD  
National Medical Officer  
Veterans Affairs Canada

Enclosures



THIS FORM IS PROVIDED FOR YOUR CONVENIENCE. WE WELCOME ANY COMMENTS YOU MAY WISH TO PROVIDE CONCERNING THIS PATIENT AND THEIR MEDICATION REGIMEN.

Dr. Coupland

Patient's Name and ID #: WILLIAM [REDACTED]

September 11, 2014  
K6627467

Were you aware of this patient's total prescription utilization?

Yes  No

Is the current pattern of utilization appropriate for this patient?

Yes  No

If yes, please indicate the reasons below:

SEE ATTACHED LETTER, DATED 30 APRIL 2014  
THAT I PREVIOUSLY SENT TO THE TREATMENT AUTHORIZATION  
CENTRE ON THIS MATTER.

DIAGNOSIS

POST TRAUMATIC STRESS  
DISORDER

MEDICATION and DOSAGE

MEDICAL MARIJUANA 45g

DAILY 1

AUTHORIZED BY HEALTH CANADA  
SINCE 2012

Expected duration of treatment regimen:

INDEFINITE

Proposed alternative treatment program:

NONE

Would intervention, counseling, and/or restriction of benefits by Veterans Affairs Canada be beneficial to this patient or to you as the prescriber?

Yes  No

If you would like further information about this or any patient, we would be happy to assist.

ADDITIONAL COMMENTS:

MR [REDACTED] HAS ALREADY RECEIVED  
EXTENSIVE COUNSELLING, PSYCHOLOGICAL THERAPY  
AND PSYCHIATRIC TREATMENT BEFORE STARTING HIS CURRENT  
TREATMENT, WHICH VERY GREATLY IMPROVED HIS CONDITION  
PHYSICIAN'S SIGNATURE: AND HIS QUALITY OF LIFE.

Dr. Nicholas Coupland

24 SEP 2014

Page 3 of 4



NOTE: If you normally charge a fee to complete this type of form, VAC will reimburse you a "usual and customary fee" up to a maximum of \$30.00. In order to be reimbursed, please send your invoice and the completed form to the address noted in the attached letter.

The personal information you provide is collected in accordance with the *Veterans Health Care Regulations* and/or the *Canadian Forces Members and Veterans Re-establishment and Compensation Act* to support your request for an extension of treatment benefits. Provision of the information is voluntary; however, an incomplete form may cause delays and/or affect any decisions rendered on your request. The personal information collected on this form is protected from unauthorized disclosure under the *Privacy Act*.

The personal information you provide may also be shared with other appropriate areas within Veterans Affairs Canada (VAC). This internal sharing of information may occur to determine if you are eligible for additional benefits or as part of the Department's commemorative activities, if applicable. These potential disclosures are identified in the personal information banks as consistent uses in accordance with the *Privacy Act*.

The recorded opinion about an individual is considered personal information about and belonging to that individual.

The *Privacy Act* provides for a right of access, on request, to your personal information which is in VAC's possession, as well as a right to request that your personal information be corrected if you believe there is an error or omission.

Further details on the collection, use and disclosure of personal information, as well as details about personal information sharing, which may include any third parties performing services on VAC's behalf, are described under the Personal Information Bank, Health Care Benefits and Services, VAC PPU 295 and/or Rehabilitation Services and Vocational Assistance, VAC PPU 300.

As well, VAC maintains Personal Information Banks on other VAC programs. You may consult Info Source (<http://www.infosource.gc.ca>) to review a complete list of VAC's Personal Information Banks.

Dr Nick Coupland, *Professor*  
1E7.16 Walter MacKenzie Health Sciences Centre  
8440-112 Street, Edmonton AB, T6G 2B7  
(780) 407-3369 (ph); (780) 407-6672 (fax)

30 April 2014

Manager  
Treatment Authorization Centre – Pharmacy  
Veterans Affairs Canada  
PO Box 7700  
Charlottetown PE, C1A 8M9

Re: William [REDACTED]  
Dob: 21 Aug 1964  
Service No: K6627467

I am writing in support of Mr [REDACTED] request for a review of the decision on reimbursement for his treatment with medical marijuana, dated 7 April 2014. The maximum quantity approved is 5 grams per day, which is substantially less than my prescription for 45 grams per day for treatment of his PTSD.

Mr [REDACTED] case and prescription is not typical of most patients being treated with medical marijuana for a number of reasons. He has been treated for PTSD since 1998. In 2009, when I first assessed him, his Clinician-Administered PTSD Scale score was 112, which is one of the most severe cases that I have assessed in my practice (I specialize in PTSD and am recognized as a clinical and research expert in the field). He had an extremely restricted and isolated life. He had very severe insomnia and nightmares that led to the police being called to his apartment when he screamed in his sleep. He had not responded to standard treatments, or other treatments, such as augmentation with a variety of atypical antipsychotics, which led to severe weight gain and morbid obesity. He subsequently lost this weight through an obsessive fitness regime. He was receiving regular psychological treatment from an experienced psychologist. We went through treatment trials of other agents as add-ons to bupropion, which was the best tolerated antidepressant, including clonidine, prazosin, zopiclone, lorazepam and temazepam, without improvement.

He first got some clinical improvement with a trial of nabilone in November 2010, initially at night and then during the day. His sleep, nightmares, mood, irritability, anxiety, dissociative symptoms and concentration improved noticeably, although he still had marked PTSD. However, his motivation, interest and appetite worsened somewhat. The latter symptoms improved markedly when he tried smoking marijuana on the recommendation of a friend. There was a marked increase in his sense of well being, a further reduction in PTSD symptoms and his appetite, motivation and drive improved.

Over time, we tried administering his marijuana by smoking and inhalation. Both of these gave him respiratory symptoms and inconsistent control of his PTSD symptoms, probably because of peak and trough effects. He found it difficult to use when acutely anxious, because he had difficulty focussing and keeping his hands steady to roll a joint or set up the inhaler. It also caused social difficulties. There was embarrassment with the neighbours and some pestering of him, because of the smell from his apartment. He had people pestering him in the street, verbal abuse and on one occasion, a woman yelled at him and threw a cup of hot coffee over him in the car park of a mall, because he had gone out to smoke to settle his anxiety. This type of experience led him to feel humiliated (treated like a drug abuser instead of a patient receiving treatment) and to avoid going out in public.

In conjunction with his pharmacist, Todd, at Stratica Pharmacy and Compounding Centre, 1040 – 117 Street, Edmonton AB, T5K 1X3, we developed a method to extract the cannabinoids into warm milk. This involves separating the trichomes (which contain most of the cannabinoids) from the plant residue and then extracting from the trichomes in warm milk. This has the advantage that the administration and absorption rate is slower and symptom control is more stable. He does not feel or appear "high" or "stoned". His motivation is good and he exercises regularly. Socially it is also discreet. He can take it anywhere with him in a take-away coffee cup and there are no visual or odour cues to suggest to anyone that he uses marijuana. This has allowed him much more freedom to go out in Edmonton and to travel away from the city for the first time in many years. The disadvantage is that the extraction is much less efficient than inhalation, so larger quantities of material are required to achieve a good clinical response. He has had Health Canada authorization to possess the necessary amount of marijuana to use this daily dose from 2012-2014 (my chart copies enclosed).

In order to assess whether there was an impact of this treatment regime on cognitive function that would affect his driving, I referred him for a Drivable assessment in 2012. This includes 6 cognitive tests: Motor Speed/Control, Speed of Attentional Shifting, Executive Control, Spatial Judgement and Decision-Making, Span of Attentional Fields and Identification of Driving Situations. The assessment has three categories of outcome, Fail, Indeterminant (i.e. somewhat impaired) or Pass (mental abilities within the range of normal, healthy drivers). Mr MacLeod's assessment was a Pass. This is consistent with clinical observation that his cognition has improved along with his PTSD symptoms.

Mr [REDACTED] is a very responsible individual, who received outstanding performance assessments during his military career. As a medical Warrant Officer, he has educated himself thoroughly about the use of medical marijuana and he takes careful precautions to keep his supply in a locked storage box. He does not divert it to others.

Overall, although Mr [REDACTED] PTSD is not remitted, he has had a very substantial improvement in his symptoms, health and quality of life with this treatment plan. By administering his medical marijuana orally, respiratory and social problems are avoided and we have confirmed that any cognitive side effects are insufficient to impact driving. I think it is critical to his continuing health that he continue with this treatment plan and therefore strongly support his receiving reimbursement for this treatment.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'N' followed by a long, horizontal flourish.

Dr Nicholas Coupland MB.ChB, MRCPsych.

**John Conroy**

**From:** Russell Barth <russellbarth@primus.ca>  
**Sent:** Friday, June 06, 2014 12:53 PM  
**To:** John Conroy  
**Subject:** How Allard Fails us

John,

Lorne Russell Barth: T-575-14  
 Christine Lowe: T-576-14

We each had our own grower. They didn't know you'd get an injunction, so Christine's shut down completely, and mine shut down and won't do another thing until he has "permanent" exemption papers.

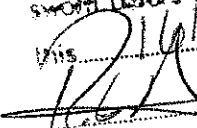
He is willing to produce for both of us, but we can't move Christine's permit to him. He also wants to move residence. He also wants to produce outdoors at the new place because it won't cost hardly anything, and we can grow enough for the whole year. But then we would not be allowed to store 25 pounds for 6-8 months, so.... the whole thing is a mess. Also, we have had an offer from other people to grow for us, so that is a possibility.

Allard fails to help me because

- 1) I cannot change addresses to move my home residence
- 2) I cannot assign a new person as designated grower
- 3) I cannot change location of current designated grower if they wish to move residence
- 4) I cannot change to/combine outdoor growing over the summer, which would save work, time, money. There should be a clause that allows both.
- 5) I sit in violation of allard because my daily dose is 16 a day or 480-496 a month and I have enough for 6 weeks
- 6) MMAR/allard fails to allow for edibles and concentrates
- 7) MMAR had arbitrary storage limits which can cause problems.
- 8) MMAR/allard fail to allow concentrates which disallows use of devices like vaping pens, necessitating the aromatic public use of dried cannabis (when symptoms or timing call for a dose). In Christine's case, rapid-delivery big-dose devices like this are essential to averting seizures when they start to come on. We sit in violation of allard MMAR by possessing the concentrate.
- 9) if/when dealing with police, the expired and crumpled permit I have is difficult to explain without a printout of the allard injunction - which I am not named under.
- 10) having to show police a "special paper" to keep me out of jail because i have a medical condition which requires constant cannabis use makes me feel like a second class citizen. a gross violation of my charter rights. It also make me very very angry.

if you need more, let us know.

Russell

This is Exhibit "S" returned to the  
 the affidavit of Daniel Lukic  
 sworn before me at Abbotsford BC  
 this 21<sup>st</sup> day of Oct 2014  
  
 A Commissioner for Access to Information  
 for British Columbia



71. The evidence as of March 21, 2014 indicated that the government mounted a publicity campaign to encourage applications for potential LPs and that as of February 4, 2014. Health Canada had received 454 LP applications, 8 of which had been issued, 10 had been withdrawn, 24 refused and the rest in various stages of review or screening and with an indication that some 25 new applications were being received each week - what has happened since to all of these applications?

**Response:**

As of July 28, 2014, 21 applicants had obtained licenses from Health Canada under the MMPR.

Since March 21, 2014, the number of applications received has continued to increase steadily with 955 applications having been received as of July 28, 2014. These applications are now at various stages of the process, with some having been either been withdrawn or refused.

This is Exhibit T<sup>2</sup> referred to in  
the affidavit of Samuel Turkiv  
sworn before me at Abbotsford BC  
this 19<sup>th</sup> day of Oct 2014

72. *How many applications for LP status have been received by HC? Of these, identify: a) how many have been approved; b) how many have been refused; c) how many have resulted in Health Canada issuing a "ready to build" letter to the applicant; d) how many of those applicants have successfully completed the build out and received an LP license?*

**Response:**

As indicated above in response to Question 71, as of July 28, 2014, Health Canada had received 955 license applications, of which 21 have been granted and 183 have been refused.

The "ready to build" letter is not a mandatory step in the application process and applicants with such a letter are not guaranteed a license. Ready to build letters are requested occasionally by applicants under both the *Narcotics Control Regulations* and the *Marihuana for Medical Purposes Regulations* for project management purposes. The letter attests that the physical security requirements, as presented in an applicant's proposal, would meet Health Canada's requirements as of the date of the issuance of the letter. That said, a total of 34 applicants have obtained a ready to build letter. 13 of these 34 became licensed producers.

73. *How many of the existing LPs are actually selling dried marihuana to clients and what is the total production output of saleable dried marihuana for each LP to date? Please provide the answer by individual LP.*

**Response:**

Although there are presently 21 licensed producers, only 13 of these are licensed to sell to clients. Of these 13, 8 had actually made sales to clients by June 30, 2014. These 8 licensed producers had collectively sold a total of 537 kg by that date.

As of June 30, 2014, licensed producers that produced domestically (i.e. as opposed to importation) had 1134 kg of dried marijuana in inventory, out of the 1795 kg that they had collectively produced to date. This total is divided among 10 licensed producers as follows:

LPs with Dried Marihuana Production (kg) as of June 30, 2014	Total Dried Marihuana Production (kg) as of June 30, 2014	Had sales as of June 30, 2014	Notes
LP #1	24	No	Has produced dried marijuana but did not yet have registered clients
LP #2	24	Yes	
LP #3	36	No	Has produced dried marijuana but had license to sell suspended due to issues with good production practices
LP #4	43	Yes	
LP #5	50	No	Was required to conduct a recall and had license to sell suspended due to issues with good production practices
LP #6	72	Yes	
LP #7	163	Yes	
LP #8	175	Yes	
LP #9	266	Yes	
LP #10	942	Yes	
<b>Total</b>	<b>1,795</b>		

In addition, an 11<sup>th</sup> licensed producer has not produced any marijuana domestically, but had imported 116kg of dried marijuana as of June 30, 2014. The total amount of dried marijuana that had been imported and

produced domestically by all licensed producers by June 30, 2014 was 1,910kg.