

Supreme Court



Courts Administration

Date: 20140502

Docket: T-2030-13

Vancouver, British Columbia, May 2, 2014

PRESENT: The Honourable Mr. Justice Manson

BETWEEN:

NEIL ALLARD
TANYA BEEMISH
DAVID HEBERT
SHAWN DAVEY

Plaintiffs

and

HER MAJESTY THE QUEEN
IN RIGHT OF CANADA

Defendant

ORDER

UPON the Court issuing oral directions on March 20, 2014 requiring the parties to submit a joint proposed timetable for completion of the remaining steps;

AND UPON the Court issuing a further direction on April 3, 2014 requiring the joint proposed timetable to be submitted by April 7, 2014;

AND UPON reading correspondence from counsel for the parties dated April 3, 2014 requesting an extension of time;

AND UPON reading correspondence from counsel for the parties dated April 17, 2014, and hearing submissions of counsel on May 2, 2014;

THIS COURT ORDERS that:

1. This action will proceed by way of simplified action, as agreed to by the parties and pursuant to Rules 295 to 299 of the *Federal Courts Rules*, with two exceptions:
 - i. The parties will not be limited to the fifty question limit provided by Rule 295, but will be limited to a reasonable limit not to exceed one hundred questions, unless otherwise permitted by the Court on application by either party;
 - ii. The parties will not be prohibited to bring pre-trial motions under Rule 298, but must seek leave of Court by way of motion to bring any such pre-trial motions.

2. The Parties shall complete the steps set out below on or before the dates indicated:

July 15, 2014	Parties' Lists of Documents
August 15, 2014	Examinations for Discovery
September 12, 2014	Motions arising from Examinations for Discovery
October 1, 2014	Requisition for PTC and PTC Memoranda
November 1, 2014	Expert Reports
December 1, 2014	Trial Record (including Joint Book of Documents)
December 12, 2014	Rebuttal Expert Reports
January 9, 2015	Plaintiffs' Affidavits
January 23, 2015	Defendant's Affidavits

3. Any requests to admit and responses thereto shall be completed by October 17, 2014.
4. The Plaintiffs shall be jointly limited to 15 witnesses and the Defendant to 15 witnesses, including both fact and expert witnesses unless the parties otherwise agree. Witnesses shall be made available for cross-examination at trial.
5. In order to ensure reasonable proportionality in respect of this matter, the parties are agreed that the Defendant's document production and list of documents will be limited to four categories of documents in its possession:
 - i. Publicly available documents that explain the evolution of the impugned legislative and regulatory regime;
 - ii. Health Canada internal medical marijuana regulation policy documents;
 - iii. Health Canada consultation documents for the new *Marijuana for Medical Purposes Regulations*;
 - iv. Medical and scientific research documents relating to medical marijuana in the possession of Health Canada.
6. Trial is to commence on February 23, 2015, at 9:30 am (PST), in the city of Vancouver, Province of British Columbia, 701 West Georgia Street, for a duration of three (3) weeks, which includes closing arguments.
7. The parties shall submit written memoranda of fact and law within seven (7) days of the completion of the trial.

"Michael D. Manson"

Judge