

IN THE SUPREME COURT OF CANADA

(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

PAUL TAYLOR

Moving Party
(Appellant)

-and-

THE WORKPLACE SAFETY & INSURANCE BOARD – WSIB

Responding Party
(Respondent)

-and-

THE WORKPLACE SAFETY & INSURANCE APPEALS TRIBUNAL – WSIAT

Responding Party
(Respondent)

**MOTION FOR RECONSIDERATION
OF JUDGEMENT OF LEAVE APPLICATION**

Paul Taylor

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Applicant
Self-represented 😊

ORIGINAL TO: THE REGISTRAR OF THE SUPREME COURT OF CANADA

COPY TO:

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IN THE SUPREME COURT OF CANADA

(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

PAUL TAYLOR

Applicant
(*Appellant*)

-and-

THE WORKPLACE SAFETY & INSURANCE BOARD – WSIB

Respondent
(*Respondent*)

-and-

THE WORKPLACE SAFETY & INSURANCE APPEALS TRIBUNAL – WSIAT

Respondent
(*Respondent*)

**MOTION TO RECONSIDER JUDGEMENT IN LEAVE APPLICATION
MOTION TO SET ASIDE COSTS ORDER OF COURTS BELOW**

TAKE NOTICE that Paul Taylor, hereby applies to a judge pursuant to section 47 of the *Rules of the Supreme Court of Canada*, and section 59 of the *Supreme Court Act*, for an order:

1. To reconsider the judgement of the Supreme Court of Canada for the leave application, in the matter of *Paul Taylor v. Workplace Safety and Insurance Board and Workplace Safety and Insurance Appeals Tribunal*, SCC File No. 38980;
2. That if this Court refuses to reconsider Mr. Taylor's request to reconsider his Application for Leave, then in the alternative, an order declaring Mr. Taylor's case a public litigation case and setting aside the costs order of the courts below, specifically:
 - a. The costs order of His Honour Justice D. Price, dated December 14, 2017; and
 - b. The costs order of Court of Appeal for Ontario dated November 21, 2018.
3. That if this Court refuses to set aside the Costs orders of the courts below, then in the alternative, an order staying the costs order of the courts below to allow Mr. Taylor the opportunity to:
 - a. bring a petition to the Parliament of Canada to set the judgement of the Supreme Court of Canada of April 16, 2020, SCC file no. 38980, on the grounds the judgement violates the Rule of Law; and
 - b. bring a petition the International Labour Organization, a branch of the United Nations to have declared that Canada has violated the Rule of Law.
4. An order to vary the Rules of the Supreme Court of Canada, to allow Mr. Taylor's Memorandum of Argument to be extended in length to __ pages, not including Part IV, or Part VII of the memorandum of Argument.
5. Any other order that the Supreme Court of Canada may deem appropriate.

AND FURTHER TAKE NOTICE that the motion to reconsider the judgement of the Supreme Court of Canada, shall be made on the following grounds:

6. That there are exceedingly rare circumstances in this case that warrant consideration by this Court. That being the Courts below and Mr. Taylor have been intentionally misled as to the facts of the case, the law, and most importantly has created a violation of the Rule of Law.
7. That Mr. Taylor has been forced to represent himself, due to very limited funding for representation of under privileged individuals, as well as ongoing new cuts by current governments. As a result, Mr. Taylor has required a considerable amount of additional time to both learn the legal process, as well as formulate and prepare his legal arguments for his application for leave.
8. In addition to Mr. Taylor being a self-represented litigant, Mr. Taylor suffers from numerous physical and psychological disabilities, which further limits his abilities to meet specific deadlines.
9. In addition to Mr. Taylor being a self-represented litigant, and an individual with numerous physical and psychological disabilities, Mr. Taylor is an under privileged individual with limited financial, and is a single parent. These issues further limit Mr. Taylor's ability to respond to specific deadlines.
10. That in addition, to Mr. Taylor being a self-represented litigant, an under privileged individual, who is a single parent, and of very limited means, additionally has had to take additional legal action against the WSIB and the WSIAT, when the WSIB unlawfully retaliated against Mr. Taylor. This was when Mr. Taylor had made a simple request to be compensated for pain over the counter pain medications and topical pain crème.
11. That defence counsel who previously prepared the orders to be signed by the court, did not. Mr. Taylor then had to learn how to draft an order, seek consent of defence counsel, and file the order with the Court of Appeal for Ontario to be signed.

12. That for decades the Courts have allowed the Provincial/Territorial Legislatures to not only control the workers compensation process but also unduly influence the Courts in actions and applications before the courts. This has been confirmed in the virtually nonexistent success rate of injured workers, who act as self-represented litigants before the courts in actions and applications. Something that is causing Canadians to lose faith in our justice system and will inevitably bringing the administration of justice into complete disrepute.

AND FURTHER TAKE NOTICE that the motion for the court to set aside or in the alternative stay the costs order of the courts below, specifically the order of His Honour J. Price and the costs order of the Court of Appeal for Ontario, shall be made on the following grounds:

13.

14. That Mr. Taylor, the applicant: suffers from numerous physical and psychological disabilities, which places a financial strain on him with paying for medications, treatment, and services due to his disabilities.

15. That Mr. Taylor is an individual with limited financial means and is a single parent having Mr. Taylor pay combined costs orders of more than \$10,000 is unjust, cruel & unusual punishment, and a failure of the courts below to create equality in our society.

16. That both respondents, the WSIB & the WSIAR, are solely financed through a fund now referred to as the “*insurance fund*”. That this insurance fund is financed through nontaxpayer revenues. The main purpose of the insurance fund is to prevent financial hardship to injured workers, but most importantly to prevent financial hardship to taxpayers. That the insurance fund has a surplus of more than \$35 billion. That awarding costs awards of any amount to low income Canadians is a complete lack of mercy and unjust on the part of the courts below.

17. That Mr. Taylor has been forced to represent himself throughout this legal process. This was his attempt to defend his rights and the rights of all injured workers, who are self-

represented litigants with disabilities in Canada. However, simply because Mr. Taylor is self-represented, he has been unjustly treated by the administrative justice system and within the courts system in Ontario.

18. Additionally, Mr. Taylor and the Courts have been intentionally and knowingly misled by counsel as to the procedures, process, and facts of the case.

AND FURTHER TAKE NOTICE that the motion for the court to that the Rules of the Supreme Court of Canada should be varied on the following grounds:

19. That Mr. Taylor is a self-represented litigant, with numerous disabilities, which make it very difficult for him to know the process in advance and meet the specific deadlines in a timely fashion.

AND FURTHER TAKE NOTICE that the Following Rules of the Supreme Court of Canada apply:

20. Rule 3(1)(2), 4(1)(2), 6(1), 8(1), 47(1), 62, and 73(1)(2)(3)

SIGNED BY

A solid black rectangular redaction box covering the signature of Paul Taylor.

Paul Taylor

October 4, 2020



No. 38980

April 16, 2020

Le 16 avril 2020

BETWEEN:

ENTRE :

Paul Taylor

Paul Taylor

Applicant

Demandeur

- and -

- et -

Workplace Safety and Insurance Board
and Workplace Safety & Insurance
Appeals Tribunal

Commission de la sécurité professionnelle
et de l'assurance contre les accidents du
travail et Tribunal d'appel de la sécurité
professionnelle et de l'assurance contre les
accidents de travail

Respondents

Intimés

JUDGMENT

JUGEMENT

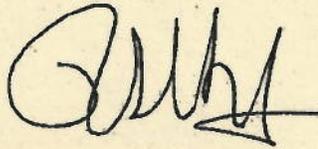
The motion for an extension of time to serve and file the application for leave to appeal is granted. The motion to file a lengthy memorandum of argument is granted. The motion for a stay of execution is dismissed. The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C63503, 2018

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel est accueillie. La requête pour déposer un mémoire volumineux est accueillie. La requête visant à obtenir un sursis d'exécution est rejetée. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro

No. 38980

ONCA 108, dated February 6, 2018, is
dismissed.

C63503, 2018 ONCA 108, daté du
6 février 2018, est rejetée.

A handwritten signature in black ink, appearing to be 'G. M. H.', written in a cursive style.

C.J.C.
J.C.C.

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

PAUL TAYLOR

Moving Party
(*Appellant*)

-and-

THE WORKPLACE SAFETY & INSURANCE BOARD – WSIB

Responding Party
(*Respondent*)

-and-

THE WORKPLACE SAFETY & INSURANCE APPEALS TRIBUNAL – WSIAT

Responding Party
(*Respondent*)

**MOVING PARTY’S MEMORANDUM OF ARGUMENT
MOTION TO RECONSIDER JUDGEMENT IN LEAVE APPLICATION
MOTION TO SET ASIDE COSTS ORDER OF COURTS BELOW**

PART I – STATEMENT OF FACTS

1. There is an exceedingly rare circumstance in Mr. Taylor’s case, which will be proven to be of great public importance and justifies consideration by this Court to reconsider its judgement of April 16, 2020.
2. That currently in Ontario, the Courts have and continue to violate the Rule of Law. The Ontario Courts have done this by preventing ANY individual ANY lawful right of redress when the individual has been intentionally harmed through intentional acts of abuse of public office by the WSIB and the WSIAT. Therefore, the Supreme Court MUST reconsider its judgement of April 16, 2020, to prevent a continued violation of the Rule of Law and a complete failure of justice.
3. In the Court of Appeal for Ontario (“**Court of Appeal**”) decision C63503, the Court of Appeal has barred ANY individual from seeking ANY lawful right of redress against the WSIB and/or the WSIAT for ANY intentional harms, committed upon the individual, by the WSIB and the WSIAT’s intentional abuse of their public office.¹
4. In doing so the Court of Appeal has created a level of absolute immunity for the WSIB and the WSIAT. In effect, the Court of Appeal has elevated the WSIB and the WSIAT to that of a deity. In doing so, the actions of the Court of Appeal are contrary the WSIB & WSIAT’s governing statute.² Are contrary to the *Proceedings Against the Crown Act*.³ Are contrary to section 7, and 15 of the *Charter*. Most importantly, are contrary to the Rule of Law.⁴
5. In his application, Mr. Taylor inadvertently missed the most important issue, which escalates Mr. Taylor’s application to utmost importance for this Court. The issue being

¹ See para 9 of *Taylor v. Workplace Safety & Insurance Board*, [2018 ONCA 108](#)

² See s. 179(2)(3) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

³ See s. 5 of *Proceedings Against the Crown Act*, [R.S.O. 1990, c. P.27](#)

⁴ See page 805, of *Re: Resolution to amend the Constitution*, [\[1981\] 1 SCR 753](#)

that when the Ontario Courts misinterpreted s. 118 & s. 123 of the WSIA⁵ to impose a complete ban on individuals seeking their lawful right of redress from the abuse of public office harms, by the WSIB and/or the WSIAT. That the Courts in Ontario have provided the WSIB and WSIAT with absolute immunity and is contrary to s. 179 of the WSIA,⁶ the Constitution⁷ and the Rule of Law.⁸

6. Both the WSIB and the WSIAT have advanced improper arguments that Mr. Taylor's claim for damages was just a claim for benefits when it was not. The WSIB and the WSIAT in their arguments claimed Mr. Taylor was unlawfully circumventing the workers compensation statutory scheme. Their arguments were accepted by the Court of Appeal in their decision C63503.⁹
7. This is false because Mr. Taylor was not circumventing the workers compensation system followed the workers compensation scheme and complied with the appeal process. Mr. Taylor obtained adjudicated decisions of the WSIB, which is the first stage of following the workers compensation scheme. Then Mr. Taylor appealed those adjudicated decisions to the WSIB appeals branch.¹⁰

PART II – STATEMENT OF THE QUESTIONS IN ISSUE

8. Should the Supreme Court reconsider Mr. Taylor's applicant leave application, in the matter of *Paul Taylor v. Workplace Safety and Insurance Board and Workplace Safety and Insurance Appeals Tribunal*, SCC File No. 38980 based on the grounds that there are exceedingly rare circumstances in this case that warrant consideration by this Court?

⁵ See s. 118(3)(4) & 123(3)(4)(5) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

⁶ See s. 179(2)(3) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

⁷ See s. 96 of the Constitution Act, [1867 \(UK\), 30 & 31 Victoria, c 3](#)

⁸ See page 805, of *Re: Resolution to amend the Constitution*, [\[1981\] 1 SCR 753](#)

⁹ See para 8, of Court of Appeal for Ontario Reasons C63503, dated Feb. 6/18, **Volume 1, Tab 4, page 8**

¹⁰ See Appeals Decision of the WSIB, dated Apr. 17/98, located at **Volume 1, Tab 15, page 174**.

Also see Appeals Decision of the WSIB, dated Sep. 28/01, located at **Volume 1, Tab 14, page 164**.

Also see Appeals Decision of the WSIB, dated Dec. 7/04, located at **Volume 1, Tab 13, page 158**.

Also see Appeals Decision of the WSIB, dated Jan. 18/05, located at **Volume 1, Tab 12, page 149**.

Also see Appeals Decision of the WSIB, dated Apr. 18/06, located at **Volume 1, Tab 11, page 148**.

9. Should this Court declare s. 118 and s. 123¹¹ of no force and/or effect under s. 52 of the Constitution, as it is in contradiction to, s. 179(3)(4)¹² of the WSIA, s. 7, s. 12, and s. 15 of the *Charter of Rights*,¹³ and s. 96 of the Constitution?¹⁴
10. If the Court refuses to reconsider Mr. Taylor's application for leave, should this Court, out of a sense of mercy and rightness, declare Mr. Taylor's case a public litigation case and set aside the costs orders of the courts below specifically: The Court of Appeal for Ontario Costs Order, in the amount of \$4,500, dated February 6, 2018, and His Honour Justice Price Costs Order, in the amount of \$6,000, dated December 14, 2017?
11. If this Court refuses Mr. Taylor's request for reconsideration and refuses to set aside the costs order out of a sense of mercy and rightness, then should the Supreme Court stay the costs orders of the courts below pending Mr. Taylor petition to Canada's Parliament, then a complaint to the International Labour Organization, a branch of the United Nations.

PART III – STATEMENT OF ARGUMENT

The Supreme Court Must Reconsider its Judgement in Case 38980:

12. The Supreme Court Must reconsider its judgement in Case 38980, because there is exceedingly rare circumstance in Mr. Taylor's case, which is of great public importance and justifies consideration by this Court to reconsider its judgement 38980 of April 16, 2020.
13. The exceedingly rare circumstance is **that currently in Ontario, the Courts have and continue to violate the Rule of Law**. The Ontario Courts have done this by preventing **ANY** individual **ANY** lawful right of redress when the individual has been harmed

¹¹ See s. 118(3)(4) & 123(3)(4)(5) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

¹² See s. 179(2)(3) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

¹³ *Canadian Charter of Rights and Freedoms*, s 7, s 12, & s 15, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

¹⁴ See s. 96 of the *Constitution Act*, [1867 \(UK\), 30 & 31 Victoria, c 3](#)

through intentional acts of abuse of public office by the WSIB and/or the WSIAT. Therefore, the Supreme Court **MUST** reconsider its judgement of April 16, 2020, to prevent a continued violation of the Rule of Law and a complete failure of justice.

14. In the Court of Appeal for Ontario (“**Court of Appeal**”) decision C63503, has inadvertently barred **ANY** individual from seeking **ANY** lawful right of redress against the WSIB and/or the WSIAT for **ANY** intentional harms, committed upon the individual, by the WSIB and the WSIAT’s intentional abuse of their public office.¹⁵

15. In doing so the Court of Appeal has inadvertently created a level of absolute immunity for the WSIB and the WSIAT. In effect, the Court of Appeal has elevated the WSIB and the WSIAT to that of a deity. In doing so, the actions of the Court of Appeal are contrary the WSIB & WSIAT’s governing statute.¹⁶ Are contrary to the *Proceedings Against the Crown Act*.¹⁷ Are contrary to section 7, and 15 of the *Charter*. Most importantly, are contrary to the Rule of Law.¹⁸

16. In his application, Mr. Taylor inadvertently missed the most important issue, which escalates Mr. Taylor’s application to utmost importance for this Court. The issue being that when the Ontario Courts misinterpreted s. 118 & s. 123 of the WSIA¹⁹ to impose a complete ban on individuals seeking their lawful right of redress from the abuse of public office harms, by the WSIB and/or the WSIAT. That the Courts in Ontario have provided the WSIB and WSIAT with absolute immunity and is contrary to s. 179 of the WSIA,²⁰ the Constitution²¹ and the Rule of Law.²²

¹⁵ See para 9, of COA Reasons, dated Feb. 6/18, **Application Record Vol. I, Tab 4, page 11.**

¹⁶ See s. 179(2)(3) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

¹⁷ See s. 5 of *Proceedings Against the Crown Act*, [R.S.O. 1990, c. P.27](#)

¹⁸ See page 805, of *Re: Resolution to amend the Constitution*, [\[1981\] 1 SCR 753](#)

¹⁹ See s. 118(3)(4) & 123(3)(4)(5) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

²⁰ See s. 179(2)(3) of the *Workplace Safety and Insurance Act*, [1997, S.O. 1997, c. 16, Sched. A](#)

²¹ See s. 96 of the Constitution Act, [1867 \(UK\), 30 & 31 Victoria, c 3](#)

²² See page 805, of *Re: Resolution to amend the Constitution*, [\[1981\] 1 SCR 753](#)

17. In their decision C63503,²³ the Court of Appeal improperly asserted that Mr. Taylor was unlawfully circumventing the workers compensation statutory scheme. This is false because Mr. Taylor followed the workers compensation statutory scheme and complied with the appeal process. Mr. Taylor obtained adjudicated decisions of the WSIB, which is the first stage of following the workers compensation scheme. Mr. Taylor then appealed those adjudicated decisions to the WSIB appeals branch,²⁴ which is the second stage of following the workers compensation scheme. Mr. Taylor then appealed the WSIB appeal decision to the WSIAT,²⁵ which is the third stage of following the workers compensation scheme. Mr. Taylor filed a request for reconsideration to the WSIAT,²⁶ which is the fourth and final stage of following the workers compensation scheme. Then and only then did Mr. Taylor file his statement of claim for a claim for damages on February 20, 2014.²⁷

18. Mr. Taylor is a Self-represented Litigant, who has been working very hard to learn the legal process, the laws, and legal theory. As such, Mr. Taylor should not and cannot be expected to formulate every possible argument on his first attempt. Therefore, Mr. Taylor should not be denied relief on the basis of a minor or easily rectified deficiency in his case. This according to the CJC Principles,²⁸ which were adopted by this Court in their case of *Pintea v. Johns*.²⁹

19. The Court of Appeal in their decision C63503, ignored Mr. Taylor's reference to an identical case, in Alberta, which the Court of Appeal confirmed an individual can sue a

²³ See para 8, of COA Ontario Reasons C63503, dated Feb. 6/18, **Application Record Vol. 1, Tab 4, page 8**

²⁴ See Appeals Decision of the WSIB, dated Apr. 17/98, **Application Record Vol. 1, Tab 15, page 174.**

Also see Appeal Decision of the WSIB, dated Sep. 28/01, **Application Record Vol. 1, Tab 14, page 164.**

Also see Appeal Decision of the WSIB, dated Dec. 7/04, **Application Record Vol. 1, Tab 13, page 158.**

Also see Appeal Decision of the WSIB, dated Jan. 18/05, **Application Record Vol. 1, Tab 12, page 149.**

Also see Appeal Decision of the WSIB, dated Apr. 18/06, **Application Record Vol. 1, Tab 11, page 148.**

²⁵ See WSIAT Decision 691/05, dated Feb. 11/08, **Application Record Vol. 1, Tab 9, page 86.**

²⁶ See WSIAT Decision 691/05R, dated Jun. 13/13, **Application Record Vol. 1, Tab 8, page 74.**

²⁷ See **Exhibit "P1"**, Statement of Claim, dated Feb. 20/14, **Application Record Vol. IV, Tab P1, page 56.**

²⁸ See para 2, of **Exhibit "N"**, *Statement of Principles on Self-represented Litigants and Accused Persons*, **Application Record Vol. IV, Tab N, page 25.**

²⁹ [2017 SCC 23](#)

WCB/WCAT.³⁰ That matter went before this Court but was denied leave.³¹ However, in same the decision, C63503, the Court of Appeal referenced a case form another Provincial Court of Appeal that was used by the WSIAT.³² The Court of Appeal provided no reasoning in their preferential treatment of the two out of province cases, confirming bias and a lack of impartiality.

20. An act of evil intent is commonly known that when a person takes pleasure in the suffering and/or harming of another. In Mr. Taylor’s audio recording he stated he could hear a panel member laughing at him struggling and his suffering. In concealing the audio recording, in such a way with the outside provincial cases, the Court of Appeal as in effect allowed an act of evil to prevail. Moreover, if this Court refuses to reconsider Mr. Taylor’s request for reconsideration in addition to allowing a violation of the Rule of Law they will also be allowing an Act of Evil to prevail.

This Court Must declare s. 118 and s. 123 of the WSIA as no force and or effect

21. This Court made clear the jurisdiction of a Superior Court can not be ousted by a Provincial/Territorial Legislature in its decision of *Canada v. Vavilov*³³ at para 24 where it recited the previous of this Court, going back as far as 1981. All of which confirmed the jurisdiction of the Court can not be ousted by the legislature.

22. Therefore, s. 118 and 123 of *Workplace Safety and Insurance Act*³⁴ is in contradiction to s. 96 of the *Constitution*³⁵ and therefore MUST be declared by this Court as of no force or effect, in accordance with s. 52(1) of the *Constitution*.³⁶

³⁰ See *Wolfert v. Shuchuk*, 2003, ABCA 109, **Application Record Vol. VI. Tab 32B, page 221.**

³¹ See *the Worker’s Compensation Board and Randy Wolfert v. Thomas Shuchuk*, (Alta.) (Civil) (By Leave) SCC File No. 29737 (2003), **Application Record Vol. VI. Tab 32A, page 220.**

³² See para 19 of COA Reasons, dated

³³ See para 24 of *Canada (Minister of Citizenship and Immigration) v. Vavilov*, [2019 SCC 65](#)

³⁴ 1997, S.O. 1997, c. 16, Sched. A

³⁵ The *Constitution Act*, 1867, 30 & 31 Vict, c 3

³⁶ The *Constitution Act*, 1982, Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11

If this Court Refuses to reconsider Mr. Taylor's application, then this Court Must set aside the Costs orders of the courts below

23. If the Court refuses to reconsider Mr. Taylor's application for leave, should this Court, out of a sense of mercy and rightness, declare Mr. Taylor's case a public litigation case and set aside the costs orders of the courts below specifically, the Court of Appeal for Ontario Costs Order, in the amount of \$4,500, dated February 6, 2018, and His Honour Justice Price Costs Order, in the amount of \$6,000, dated December 14, 2017
24. As previously stated to this Court, Mr. Taylor's household income, after his workplace injuries, has been on average \$14,5000 annually. This is approximately half of the Statistics Canada Low-Income Cut-offs for a family of two for 2016.
25. The costs order against Mr. Taylor is \$10,500 not including incurred interest. If Mr. Taylor is compelled to pay both costs orders of the Superior Court and of the Ontario Court of Appeal Mr. Taylor and his daughter will be left with less than \$4,0000 to live on for a year.
26. The costs orders against Mr. Taylor are from litigation, which is part of the work injury process and MUST be funded out of the insurance fund.
27. The WSIB and the WSIAT receives all their operating revenues directly from the "*Insurance fund*". The purpose of the insurance fund is to prevent financial hardship to injured workers and taxpayers from workplace injuries. As a result, the insurance fund receives all its revenues from employer premiums. The insurance fund covers all costs of workplace injuries. The insurance fund is in no way funded by taxpayers. Unless individuals like that of Mr. Taylor who are unjustly denied compensation are forced to use taxpayer funded social programs. In addition to the insurance fund, there is a surplus fund containing more than \$35 billion.
28. If the costs orders of the lower courts were stayed there would be no prejudice to the WSIB or the WSIAT, as they would not suffer any financial hardship. However, if the

costs orders were not stayed Mr. Taylor and his daughter would suffer severe financial hardship and would confirm the lack of mercy on the part of the Courts.

29. Aside from being the alleged victors in the summary judgement motion, something that has been scientifically proven to be unethical, the WSIB and the WSIAT have provided no proof of any hardship or prejudice of why they would require compensation for the costs order. The only underlying reason is the WSIB and WSIAT's person vendetta to take a make an example of Mr. Taylor. That example being to prevent other individuals from seeking justice for the intentional harms committed against them, because of the WSIB and the WSIAT intentional abuse of public office. This would ultimately confirm Canada's workers compensation system is a regime unto itself that is completely totalitarian.

30. In the Ontario Law Reform Commission's 1989 Report on the Law of Standing stated that the traditional view of the elected government as the sole guardian of the public interest had given way to an acknowledgment *that sometimes government is the wrongdoer and the role of guardian must be taken up by someone else*.³⁷ The report also **provided incidences where costs should not be awarded.**

The proceeding involves issues the importance of which extends beyond the immediate interests of the parties involved

31. Mr. Taylor's application raises a public importance issue of the lawful right of redress for individuals who have been intentionally harmed by the WSIB and the WSIAT because of their public office abuses. Additionally, Mr. Taylor's case was the first after the precedent setting case of *Castrillo v. WSIB*³⁸

³⁷ See pages 1 to 6 of the Ontario Law Reform Commission's 1989 *Report on the Law of Standing*

³⁸ See *Castrillo v. WSIB*, 2017 ONCA 121, **Application Record Vol. VI, Tab 20, page 1.**

The person has no personal, proprietary, or pecuniary interest in the outcome of the proceeding, or, if he or she has such an interest, it clearly does not justify the proceeding economically;

32. Mr. Taylor's case would benefit him but would mostly benefit other individuals who

have been harmed by abuse of public office on the part of the WSIB and the WSIAT.

The issues have not been previously determined by a court in a proceeding against the same defendant;

33. Mr. Taylor's case made direct allegations of bad faith on the part of the WSIB and the

WSIAT, which is the main element of abuse of public office, which has not been dealt

with in such a manner before.

The defendant has a clearly superior capacity to bear the costs of the proceeding

34. The WSIB and the WSIAT are funded out of the Insurance fund, which has a surplus

fund of \$35 billion. More importantly it is not funded by taxpayers, but main purposes

are to fund workplace injury claims, as Mr. Taylor is.

The proceeding is not vexatious, frivolous or an abuse of process.

35. Mr. Taylor's case was not frivolous or vexatious. While the Court declared Mr. Taylor's

case an abuse of process, Mr. Taylor contends it was for the incorrect reason being that

he was attempting to circumvent the workers compensation statutory scheme, which he

did not.

If this Court refuses to set aside the Costs order, then it MUST stay the Costs Order

36. If this Court refuses Mr. Taylor's request for reconsideration and refuses to set aside the

costs order out of a sense of mercy and rightness, then the Supreme Court should stay the

costs orders of the courts below pending Mr. Taylor petition to Canada's Parliament, then

a complaint to the International Labour Organization, a branch of the United Nations.

PART IV – ORDER

37. Mr. Taylor respectfully requests the following order from the Supreme Court of Canada and order

- a. Setting aside the Supreme Court of Canada judgement of April 16, 2020 and granting Mr. Taylor’s application for leave

- b. Setting aside the costs orders of the Courts below, or in the alternative staying the court costs orders.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Paul Taylor

October 4, 2020