

**ONTARIO SUPERIOR COURT OF JUSTICE**

**BETWEEN**

**GREGORY TOOMBS et al**

**Plaintiffs**

**-and-**

**WORKSAFEBC (ALSO KNOWN AS THE WORKERS COMPENSATION BOARD OF  
BRITISH COLUMBIA) et al**

**Defendants**

**SUBMISIONS OF PLAINTIFF, PAUL TAYLOR  
FOR 1<sup>ST</sup> CASE MANAGEMENT CONFERENCE**

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**Mr. Taylor's Position on procedural matters:**

1. Mr. Taylor's position on the first matter, being representation for the plaintiffs is that a motion is required for the court to appoint amicus curiae and that all other steps should be stayed pending the outcome of this motion.
2. Mr. Taylor's position on the second matter, being whether all the named defendants were properly served, is that they have not been. However, Mr. Taylor submits that all named defendants have acknowledge the proceeding, which is the purpose of a party being served.

3. Mr. Taylor's position on the third matter, being are all named defendants represented by counsel, is that all named defendants are represented by counsel.
4. Mr. Taylor's position on the fourth matter, being have all named self-represented plaintiffs consented to being named as representative plaintiffs in the proceeding, is that they have consented to being named as representative plaintiffs in the proceeding.
5. Mr. Taylor's position on the fifth matter, being is leave of the court required to amend the Charter Class Claim, is that leave is required to add parties to the claim.
6. Mr. Taylor's position on the sixth matter, being has the Notice of Constitutional Question been served and has there been any response, is yes, the notice was served, and no response has been served.
7. Mr. Taylor's position on the seventh matter, being has any of the defendants served a statement of defence, is no.
8. Mr. Taylor's position on the eighth matter, being the intention of any of the defendants to postpone delivery of their Defence until after certification and the position of the plaintiffs, is unknown. However, Mr. Taylor is opposed to Defendants delaying filing their defence.

9. Mr. Taylor's position on the ninth matter, related proceedings, is that there are no other related proceedings, according to a search of the CBA database. The Statement of Claim has been to the CBA to be registered.
10. Mr. Taylor's position on the tenth matter, what steps to be taken prior to certification, being that a motion to appoint an amicus curiae and the cost to come out of Ontario's insurance fund, be dealt with first, next allow for any amendments of the claim, then allowing for the Notice of Constitutional Question, then certification.
11. Mr. Taylor's position on the eleventh matter, plaintiff's intentions to file motions, is yes, a motion to appoint amicus curiae, seek leave of the court to amend, to serve defendants outside Ontario, and certify the claim as a Charter class claim.
12. Mr. Taylor's position on the twelfth matter, defendants intention to file motions, is yes, as Mr. McKinnon has advised Mr. Taylor of this and sought his consent. However, Mr. Taylor can not provide such consent.
13. Mr. Taylor's position on the thirteenth matter, the issue of sequencing of motions, is that Mr. Taylor believes the plaintiff's motion ought to be heard first, then the defendants, if any.
14. Mr. Taylor's position on the fourteenth matter, opposition of certification, has no knowledge of this, but can anticipate certification will be opposed on all grounds.

15. Mr. Taylor's position on the fifteenth matter, agreed statement of facts, Mr. Taylor is very interested in compiling an agreed statement of facts to further assist the court in narrowing the disputed issues.
16. Mr. Taylor's position on the sixteenth matter, length of the certification motion, has not been discussed with the defendants. However, Mr. Taylor's position is that the certification motion does not need to be more than four hours.
17. Mr. Taylor's position on the seventeenth matter, timetable for the exchange of materials, has no position as no timetable has been proposed as yet.
18. Mr. Taylor's position on the eighteenth matter, length of the facts, is that it should be no more than 30 pages.
19. Mr. Taylor's position on the nineteenth matter, other issues, is that Mr. Taylor has identified three issues.
- a. First, the plaintiffs are persons with disabilities and as such will require accommodations under the *Human Rights Code of Ontario* and the *Charter of Rights and Freedoms*. The accommodations will be based on individual needs and requirements.

- b. Second, is the need of the court to recognize and accommodate the plaintiffs being self represented litigants in accordance with the Canadian Judicial Council principles on self represented litigants.
  
- c. Third, is the recognition of acts of reprisal committed against the lead plaintiffs and the class of plaintiffs by the defendants and third parties, being employers. This includes unlawful cancellation of benefits, covert surveillance, and other tactics.

DRAFT

BACKSHEET

**Gregory Toombs et al.**  
(Plaintiffs)

**v. WorkSafeBC (aka WCB of BC et al.**  
*(Defendants)*

Court file No. CV-21-00076781-00CP

Ontario Superior Court of Justice

PROCEEDING COMMENCED AT

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**SUBMISSIONS OF PLAINTIFF,  
PAUL TAYLOR FOR 1ST CASE  
MANAGEMENT CONFERENCE**

**Moving Party:**  
Paul Taylor

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**Self-represented Lead Plaintiff**  
*Spokesperson for Lead Plaintiffs*