

Action No. _____

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

KEVIN TAFT

Applicant

- and -

HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA

Respondent

ORIGINATING NOTICE

TO: Her Majesty the Queen in Right of Alberta

TAKE NOTICE that a motion will be made on behalf of Kevin Taft of the City of Edmonton in the Province of Alberta, Member of the Legislative Assembly, the above-named applicant, before the presiding Judge in Chambers at the Law Courts in the City of Edmonton on Monday the 8th day of February, 2010 at the hour of 10 o'clock in the forenoon or so soon thereafter as counsel may be heard for the following declarations with respect to the provincial General Election conducted on March 4, 2008:

- a) that the Lieutenant Governor In Council, by appointing certain Returning Officers with strong connections to one political party, infringed the right of all citizens, including the Applicant, to play a meaningful role in the electoral process;
- b) that the Lieutenant Governor in Council, by appointing Returning Officers shortly before calling an election, caused electoral subdivisions to be redrawn during the election campaign, which infringed the right of all candidates, including the Applicant, to play a meaningful role in the electoral process;
- c) that the Lieutenant Governor in Council, by appointing Returning Officers shortly before calling an election, caused inaccuracies in the

voters list, and long wait times to vote, which infringed the right to vote of those required to wait;

- d) that Returning Officers who were slow in responding to requests for special ballots infringed the right to vote of the electors who made the requests;
- e) that the Returning Officer for Foothills-Rockyview, by moving a polling place with notice to one but not all candidates, infringed the right to vote of electors in that electoral division;
- f) that the Returning Officer for West Yellowhead, by refusing to allow members of the Grande Cache Co-op to vote, denied them their right to vote;
- g) that the Returning Officer for Livingston-MacLeod, by deciding not to locate a polling place on the Piikani or Kainai Nations infringed the right to vote of the electors resident there;
- h) that the Returning Officer for Lethbridge West, by refusing to locate a mobile poll at the University of Lethbridge, infringed the right to vote of electors attending the University of Lethbridge;
- i) that the Returning Officer for Drumheller-Stettler, by failing to set up mobile polls at two assisted living facilities in Drumheller, infringed the right to vote of electors living in those facilities;
- j) that the Chief Electoral Officer, by directing certain electors to the wrong polling places, infringed their right to vote;
- k) that election workers, by failing to provide certain electors whose names did not appear on the voters list with an opportunity to swear a statutory declaration to vote, denied those electors their right to vote;
- l) that in each case where the right to vote was infringed, it was also denied, if the infringement prevented the elector from voting; and
- m) that the foregoing infringements and denials of democratic rights, taken collectively, infringed the right of all Canadian citizens resident in Alberta, including the Applicant, to play a meaningful role in the 2008 provincial general election,

together with such further orders and directions to the Respondents as may be necessary, appropriate and just in the circumstances in order to give full effect to those declarations.

AND FURTHER TAKE NOTICE THAT in support of the application will be read the affidavits described below, copies of which are served herewith:

Deponent	Date sworn
Kevin Taft	December 16, 2009
Bill Bonner	December 16, 2009
Herb Coburn	December 16, 2009
Joan Cunningham	December 17, 2009
Trevor Doerksen	December 17, 2009

together with such further and other material as counsel may advise and this Honourable Court may permit.

AND FURTHER TAKE NOTICE THAT in bringing this application the Applicant will rely upon, inter alia, the terms and provisions of the *Canadian Charter of Rights and Freedoms* and in particular, Sections 3 and 24 thereof.

DATED at the City of Edmonton, in the Province of Alberta, the 18th day of December, 2009.



 CLERK OF THE COURT OF QUEEN'S
 BENCH OF ALBERTA

This originating notice was taken out by Ogilvie LLP, Barristers and Solicitors solicitors for the applicant whose address for service is #1400, 10303 Jasper Avenue, Edmonton, Alberta, T5J 3N6.

NOTICE

Action No: 0903 20112 2009

**To: HER MAJESTY THE QUEEN IN
RIGHT OF ALBERTA**

**IN THE COURT OF QUEEN'S BENCH
OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

An Application has been brought concerning you. You are hereby notified that if you do not attend either in person or by Counsel before the said Judge at the time and place set out in the within Originating Notice, the order and relief asked for herein may be made in your absence, or such other order may be made or proceedings taken as according to the practice of Court the applicant is entitled to take, without any further notice to you.

Between:

KEVIN TAFT

Applicant

- and -

**HER MAJESTY THE QUEEN IN RIGHT
OF ALBERTA**

Respondent

This Originating Notice is issued by Ogilvie LLP, solicitors for the Applicant whose address for service is in care of its solicitors at

Ogilvie LLP
1400 Canadian Western Bank Place
10303 Jasper Avenue
Edmonton, Alberta, T5J 3N6

The Applicant is resident in Alberta.

The Respondent is resident in Alberta.

ORIGINATING NOTICE

Ogilvie LLP
Barristers and Solicitors
1400 Canadian Western Bank Place
10303 Jasper Avenue
Edmonton, Alberta
T5J 3N6

GRANT S. DUNLOP

Telephone: (780) 429-6283
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File No.: 55679.001

