

ID 1

Court File No. DES-1-18

FEDERAL COURT

IN THE MATTER OF an application under section 18.1 of the *Canadian Security Intelligence Service Act*, R.S.C. 1985 c. C-23

FEDERAL COURT COUR FÉDÉRALE	
FILED	APR 09 2018
Victoria Bell	
OTTAWA, ON	- 1 -
DÉPOSÉ	

BETWEEN:

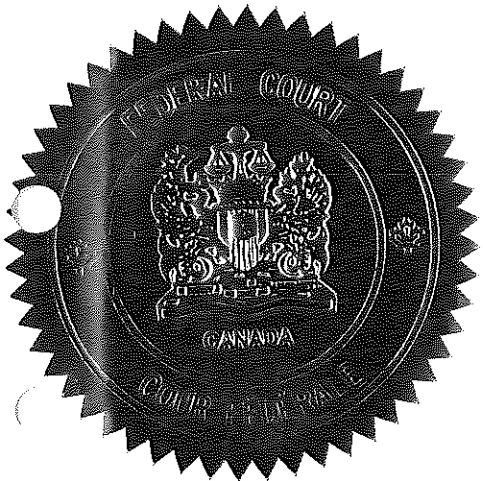
HASSAN ALMREI

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent



NOTICE OF APPLICATION

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED by the applicant. The relief claimed by the applicant appears on the following page.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at the Federal Court at 180 Queen Street West, Toronto, Ontario.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must prepare a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor, or where the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Courts Rules information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

April 9, 2018.

**ORIGINAL SIGNED BY
VICTORIA BELL
A SIGNÉ L'ORIGINAL**

Issued by: _____
(Registry Officer)

Address of local office:

The Federal Court
180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

I HEREBY CERTIFY that the above document is a true copy of the original issued out of / filed in the Court on the 9th

day of April A.D. 20 18

Dated this 9th day of April 20 18

V. Bell

**VICTORIA BELL
REGISTRY OFFICER
AGENT DU GREFFE**

TO:

Nathalie G. Drouin
Deputy Attorney General of Canada
Department of Justice
The Exchange Tower
Suite 3400, Box 36
2 First Canadian Place
Toronto, Ontario, M5X 1K6

Tel: (416) 973-0942
Fax: (416) 954-8982

Counsel for the Respondents

APPLICATION**The applicant makes application for:**

1. A declaration pursuant to paragraph 18.1(4)(a) of the *Canadian Security Intelligence Service Act* (the "Act") that, as regards certain claims of privilege made by the respondent pursuant to s.18.1 of the Act ("the s.18.1 claims") over otherwise discoverable information in an action commenced by the applicant in the Ontario Superior Court of Justice pursuant to Court File No. CV-10-402443 (the "Action"), the said claims have been made with respect to information that is not protected from disclosure by s.18.1 of the Act;
2. An order disclosing to the applicant information indicating which of the redactions in the respondent's productions in the Action are made in relation to the s.18.1 claims, where such disclosure can be made without disclosing the identity of a human source or information from which the identity of a human source could be inferred;
3. An order disclosing to the applicant information that can be derived from the information over which s.18.1 privilege has been claimed but is not information from which the identity of a human source could be inferred; and
4. An order, to be sought on a motion by the applicant, appointing an *amicus curiae* to represent the interests of the applicant in this application if and when the proceeding is held in the absence of the applicant, on terms to be specified by the Court; and
5. Such further and other relief as the applicant requests and this Court deems just.

The grounds for the application are:

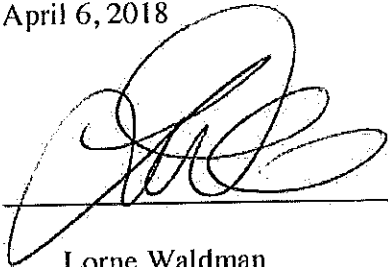
6. The respondent has taken the position that certain information in her possession or control is information that would, pursuant to the Ontario *Rules of Civil Procedure* (the "Rules"), be disclosed to the applicant in the Action, but for the s.18.1 claims. This information has been redacted from the disclosure in the Action that the respondent has made to the applicant pursuant to the Rules.

7. The respondent is incorrect in the position described in the preceding paragraph because some or all of the redacted information is not protected by s.18.1 of the Act, either because the individual who would be identified by the redacted information is not a human source, or because the information is not information from which the identity of a human source could be inferred.
8. In the alternative, if there are redactions for which the s.18.1 claims are supportable, there is nonetheless information that can be derived from the redacted information that is not information from which the identity of a human source could be inferred, and the applicant is entitled to the disclosure of such information.

The application will be supported by the following material:

9. The affidavit of Rebeka Lauks; and
10. Such further and other information as the applicant submits and this Court deems just.

April 6, 2018



Lorne Waldman
Waldman & Associates
281 Eglinton Avenue East
Toronto, Ontario, M4P 1L3

Tel: (416) 482-6501
Fax: (416) 489-9619
Counsel for the Applicants

Court File No.

FEDERAL COURT

IN THE MATTER OF an application under
Section 18.1 of the *Canadian Security Intelligence
Service Act*, R.S.C. 1985 c. C-23

B E T W E E N:

HASSAN ALMREI

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

NOTICE OF APPLICATION

LORNE WALDMAN
Barrister and Solicitor

WALDMAN & ASSOCIATES
281 Eglinton Ave. East
Toronto, Ontario
M4P 1L3

Tel: (416) 482-6501
Fax: (416) 489-9618

Counsel for the Applicant