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Court File No.:		OTT	1

FEDERAL COURT

BETWEEN:

Jane Doe

Plaintiff

-and-

**His Majesty the King in Right of Canada,
the Republic of India,
Google LLC,
Alphabet Inc.,
Rogers Communications Canada Inc.,
Bell Canada,
Telus Communications Inc.,
John Doe 1 dba Republic of India,
John Doe 2 dba Republic of India, and
other unidentified people, operating in Canadian territory, dba Republic of India**

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a solicitor acting for you are required to prepare a statement of defence in Form 171B prescribed by the Federal Courts Rules, serve it on the plaintiff's solicitor or, if the plaintiff does not have a solicitor, serve it on the plaintiff, and file it, with proof of service, at a local office of this Court

WITHIN 30 DAYS after the day on which this statement of claim is served on you, if you are served in Canada or the United States; or

WITHIN 60 DAYS after the day on which this statement of claim is served on you, if you are served outside Canada and the United States.

TEN ADDITIONAL DAYS are provided for the filing and service of the statement of defence if you or a solicitor acting for you serves and files a notice of intention to respond in Form 204.1 prescribed by the *Federal Courts Rules*.

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 DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

Date: April 11, 2024

Issued by: _____

(Registry Officer)

Address of local office:

Federal Court of Canada
Thomas D'Arcy McGee Building
90 Sparks Street, Main Floor
Ottawa, Ontario K1A 0H9, Canada

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Googleplex
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TO: Rogers Communications Canada Inc.
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TO: Bell Canada
Corporate HQ
1 Carrefour Alexander-Graham-Bell, Building A-7
Verdun, Quebec H3E 3B3, Canada

TO: Telus Communications Inc.
TELUS Garden
510 West Georgia Street
Vancouver, British Columbia V6B 0M3, Canada

TO: John Doe 1 dba Republic of India

TO: John Doe 2 dba Republic of India

TO: other unidentified people, operating in Canadian territory, dba Republic of India

CLAIM

1. The Plaintiff, Jane Doe, claims:
 - a) an order allowing the Plaintiff to proceed as Jane Doe and that in all pleadings and other materials filed in this action the style of cause be amended accordingly, with masking of any private information that could lead to her identification;
 - b) a publication ban on all facts and details that could lead to the identification of Jane Doe by name in relation to this action;
 - c) a declaration that the Defendants have common law and constitutional law obligations, including through *in personam* jurisdiction, to act in a manner compatible with the interests of Jane Doe, who is a refugee claimant physically present in Canada;
 - d) an order declaring that the Defendants have no valid consent, expressly or impliedly, of Jane Doe while they breached her privacy and caused irreparable reputational harm contrary to the *Privacy Act* provisions;
 - e) a declaration that any decision by the Defendant Crown that facilitates Republic of India (RoI) to directly or indirectly, physically or otherwise contact Jane Doe dishonors and violates Canada's commitments to the *International Covenant of Civil and Political Rights*;
 - f) an interlocutory injunction, pursuant to s. 24 of the *Canadian Charter of Rights and Freedoms* (the "*Charter*"), restraining Defendant Crown towards facilitating RoI in contacting Jane Doe directly or indirectly, physically or otherwise;
 - g) an interlocutory injunction restraining the Defendant RoI to directly or indirectly, physically or otherwise (including through its public-private

coalitions) contact Jane Doe until the trial or other dispositions of this action;

- h) an interlocutory injunction restraining Google LLC and its parent company Alphabet Inc. from providing unauthorized access of Jane Doe's private information to the Defendant RoI;
- i) an interlocutory injunction restraining Rogers Communications Canada Inc., an internet service provider, from providing unauthorized access of Jane Doe's private information to the Defendant RoI;
- j) an interlocutory injunction restraining Bell Canada, an internet service provider, from providing unauthorized access of Jane Doe's private information to the Defendant RoI;
- k) an interlocutory injunction restraining Telus Communications Inc., an internet service provider, from providing unauthorized access of Jane Doe's private information to the Defendant RoI;
- l) an interlocutory injunction restraining Defendants John Doe 1 et al. dba RoI to directly or indirectly, physically or otherwise contact Jane Doe until the trial or other dispositions of this action;
- m) an order declaring that as a result of their Impugned Conducts the Defendants have unjustifiably infringed the rights of Jane Doe under s. 7 of the *Charter*;
- n) an order declaring that as a result of their Impugned Conducts the Defendants have unjustifiably infringed the rights of Jane Doe under s. 8 of the *Charter*;
- o) an order declaring that as a result of their Impugned Conducts the Defendants have unjustifiably infringed the rights of Jane Doe under s. 9 of the *Charter*;

- p) an order declaring that as a result of their Impugned Conducts the Defendants have unjustifiably infringed the rights of Jane Doe under s. 12 of the *Charter*;
- q) an order declaring that as a result of their Impugned Conducts the Defendants have unjustifiably infringed the rights of Jane Doe under s. 15 of the *Charter*;
- r) Remedies pursuant to s. 24 of the *Charter* that ensure timely relief and effective justice to Jane Doe;
- s) Special damages of CAD 10 million from Defendant RoI on forthright basis;
- t) General damages of CAD 4 billion from Defendant RoI on forthright basis;
- u) Punitive and exemplary damages of CAD 500 million from Defendant RoI on forthright basis;
- v) Aggravated damages of CAD 4 billion from Defendant RoI on forthright basis;
- w) Pre and post judgment interest pursuant to the *Federal Courts Act*, RSC 1985, c. F-7;
- x) an order retaining jurisdiction over this action until the Defendants have fully complied with the orders of this Court and reasonable assurance is in place that the Defendants will continue to comply in the future absent continuing jurisdiction;
- y) tax inclusive costs of the action and of the further trial in this matter be awarded to Jane Doe on full indemnity basis; and

- z) such further and other relief as this Honourable Court deems just and appropriate.

FACTS

A. The Parties

Plaintiff

2. The Plaintiff, Jane Doe, is a 36 year old single divorced woman and a refugee claimant residing in the Ottawa city.

3. In order to protect the Plaintiff's identity, for she fears retribution and retaliation in her personal life and professional career owing to the serious allegations made by her in a sensitive matter and relating to her dignity, she is referred to as Jane Doe in this Claim. Plaintiff also seeks appropriate order in this regard to keep her anonymized from the public to have an uninfluenced and fair trial.

Defendants

4. The Defendant, His Majesty The King (HMTK) in Right of Canada, is named pursuant to the s. 48 of the *Federal Courts Act* and the corresponding Schedule. All references to the Crown or HMTK in this claim refer to the sovereign authority governing Canada with its executive, legislative and judicial powers. It is vicariously involved in breach of the Plaintiff's rights under the *Charter* and also owes liability regarding the constitutional validity of its actions leading to the former.

5. The Defendant, the Republic of India (RoI), is a South Asian country where the Prime Minister is the Head of the Government and is named pursuant to the provisions of *in personam* jurisdiction of Federal Court of Canada. RoI is involved in arbitrary psychological detention, material Privacy breach and surreptitious voyeurism of Jane Doe (living in the Canadian territory) by its

Government personnels in Canada, directly or indirectly, physically or otherwise (including through its public-private coalitions).

6. The Defendant, Google LLC (formerly Google Inc.) is an American multinational technology company, and knowingly or unknowingly facilitates unauthorized access to private information of the Plaintiff to the Defendant RoI. By means of Google Chrome, Gmail, Google One and Google Mobile Services provided by it the Plaintiff contacts the Government of Canada using electronic devices and these correspondences involve Protected documents along with other confidential information. Moreover, Plaintiff's personal information of more than a decade is a part of her Google Account linked with *****@gmail.com.

7. The Defendant Alphabet Inc., an American multinational technology company, was formed in a corporate reorganization of Google Inc. in 2015. This reorganization resulted in Google LLC becoming a direct, wholly owned subsidiary of Alphabet Inc. Both Google LLC and Alphabet Inc. have been named pursuant to provisions of *in personam* jurisdiction of the Federal Court of Canada.

8. The Defendants Rogers Communications Canada Inc., Bell Canada and Telus Communications Inc., are Canadian telecommunication companies and Internet Service Providers (ISPs), which knowingly or unknowingly facilitate unauthorized access of Plaintiff' private information to the Defendant RoI. These three companies provide the telecommunication and internet infrastructure services to the Plaintiff, associated with mobile number +1-xxx-xxx-xxxx, to access various Google services and have network sharing agreements and/or pooled spectrums for enhanced internet coverage in Canadian cities.

9. The Defendant, John Doe 1 dba RoI, operating in Canadian territory, facilitates arbitrary psychological detention of the Plaintiff through interception of electronic devices and covert surveillance while breaching the boundaries of individual's privacy.

10. The Defendant, John Doe 2 dba RoI, operating in Canadian territory, facilitates the arbitrary psychological detention of the Plaintiff through medical

malpractice or other similar non-consensual treatments while breaching the boundaries of individual's privacy.

11. The Defendants, other John Does, i.e., other unidentified people, operating in Canadian territory, dba RoI facilitate arbitrary psychological detention of the Plaintiff while also breaching the boundaries of individual's privacy.

12. The “Defendants” word used throughout the claim refers to the Crown and/or the RoI (in *personam jurisdiction*) along with its facilitators in the stated wrongdoings- John Doe 1 et al., Google LLC, Alphabet Inc. and the Canadian ISPs mentioned above.

B. Overview

13. Jane Doe, a 36 year old woman, was born in the RoI, which is also the country against which she sought refugee protection from the Government of Canada in 2023. She has been in Canadian territory since then.

14. Jane Doe has primarily been an academically oriented person and was formerly enrolled in an Indian Institute of Technology (IIT) as a doctoral candidate after qualifying for a competitive research fellowship for herself. This institute is an officially designated Institute of National Importance and is funded by the Government of RoI.

15. Jane Doe has had complaints of persistent bullying and sexual harassment at the said IIT, facilitated and covered up by its Professors, Dean Academic Affairs Office, Dean Student Affairs Office, counselors/doctors and Director. These were made more clear in later years as she wanted to confront the recalcitrant system legally. And this was followed by more harassment, coercion to visit institute’ counselors/doctors for unwarranted psychological assessments and treatments.

16. One Professor towards whom there were allegations of promoting sexual harassment in the campus went on a lien to become the Director of an another

reputed educational institute despite his notorious involvement known to the Deans and Director of the said IIT.

17. Intimidations, unwarranted talking to family members/ex-husband to silence Jane Doe's dissenting voice and threats to leak the private pictures/videos of her in access to the said IIT followed as the matter escalated. The Director of the institute was evasive to discuss the matter even when Jane Doe assiduously sought police mediation.

18. Following this and after unsuccessfully seeking relevant Writ Order from the Chief Justice of the state High Court, Jane Doe finally dropped out of the said IIT for a dignified human life and left the city (and the state). Nepotism and corruption has been repeatedly observed in administrations of the IITs, Higher Judiciary and other Indian institutions as is often reflected in the Indian media; and, this may explain how no action was taken towards alleged crimes of human rights violation conducted in a syndicated manner.

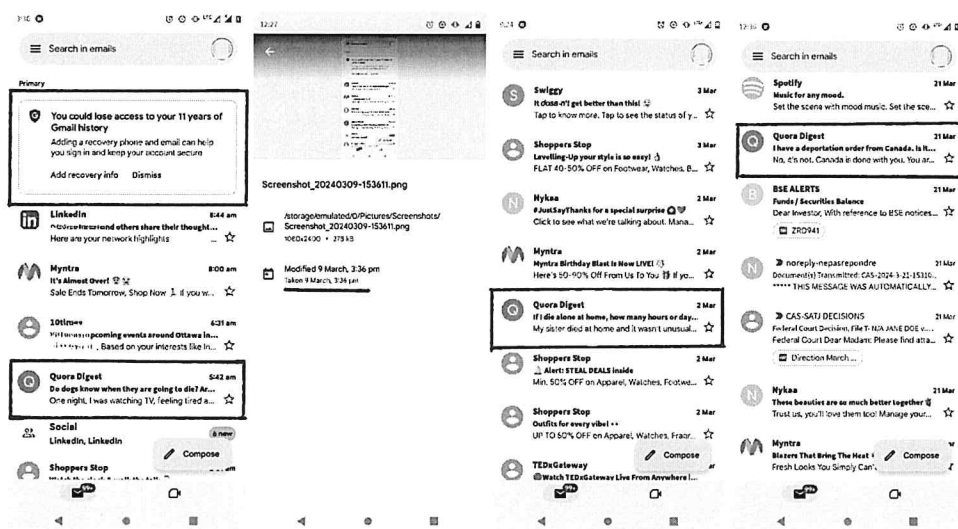
19. Jane Doe not only subsequently moved to a different city/state within RoI but also temporarily went to a different country to escape from the stated abuses involving privacy intrusions. However, the technologically enabled covert surveillance, surreptitious voyeurism and intimidations never ceased as if some permission had been obtained by fraud/deceptive means.

20. Jane Doe has always wanted to know the legal body, institute or the Minister supporting such widespread misconduct. Jane Doe was, however, forced to go on digital abstinence for several months after she was tired of her electronic devices being bugged repeatedly (particularly laptop) and intercepted by John Doe 1, who represents some authority operating secretly on behalf of RoI since her days at the said IIT.

21. In 2023, Jane Doe again left RoI and finally after arriving in Canada claimed for refugee protection as she was hopeless after years of ordeal in RoI. The violation of fundamental human rights, defamation, threats, and related persecutions in RoI compelled Jane to flee this country. However, Jane Doe was

devastated when she observed the patterns of covert surveillance, surreptitious voyeurism and intimidations being repeated in the Canadian territory.

22. As it appears in the first screenshot below (taken on March 9, 2024, a few days after she started drafting this claim), there is an unusual notification on Plaintiff's Gmail app with text "You could lose access to your 11 years of Gmail history"- indicating that Defendant RoI and its facilitators may misuse direct or indirect access to her Google Account information. Historically, Jane Doe has lost some of the evidentiary data against wrongdoings of IIT Professors. Furthermore, the Gmail app screenshots show that Jane Doe is repeatedly receiving emails which include texts like "If I die alone at home, how many hours or days... My sister died at home and it wasn't unusual" (March 2), "Do dogs know when they are going to die?" (March 9) or "I have a deportation order from Canada... Canada is done with you" (March 21). Such emails generally pertain to how one will die or be killed or removed and are unusual for she has never used Google or any forum to search on related topics to expect these in her Gmail inbox.



23. Jane Doe also wants to bring forth continuous medical malpractice or similar non-consensual treatments, with material Privacy breach at its core, intentionally performed by John Doe 2 (along with John Doe 1 and other John Does dba RoI, operating in Canadian territory). These acts, involving obvious conflict of interests, are carried out to further silence and exact revenge from Jane Doe who sought refugee protection from Canada against persecution by RoI.

GRIEVANCES AND LEGAL BASIS OF CLAIM

24. *Charter* s. 9 states as follows:

Everyone has the right not to be arbitrarily detained or imprisoned.

25. *Charter* s. 7 states as follows:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

26. *Charter* s. 12 states as follows:

Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

27. Jane Doe has no choice but to comply with the incessant covert surveillance and non-consensual treatments in the Canadian territory. This is seriously aggravating and grossly disproportionate considering that she is a single divorced refugee claimant and a visible minority. Arbitrary psychological detention, with automatic and indeterminate restraint on her liberty, associated with *Charter* s. 9 provisions (and prohibited by it) resembles what she has been going through.

28. Jane Doe has been denied the means required by the principles of fundamental justice to challenge this arbitrary and indefinite psychological detention, carried out through covert surveillance, with no practical hope of a legal recourse over years. These onerous release conditions from arbitrary and indefinite psychological detention are overboard, grossly disproportionate and involve unreasonable interferences by misdoer Defendants while seriously undermining the liberty of Jane Doe. These constitute cruel and unusually unfair treatment as these also outrage standards of decency (also refer to paras. 34 and 35) and are intrinsically incompatible with human dignity or inherent worth of being human. These Impugned Conducts are contrary to provisions of the *Charter* ss. 7 and 12 that clearly forbid such detention and treatments.

29. *Charter* s. 32 (1) states as follows:

This Charter applies: to the Parliament and government of Canada in respect of all matters within the authority of Parliament including all

matters relating to the Yukon Territory and Northwest Territories; and to the legislature and government of each province in respect of all matters within the authority of the legislature of each province.

30. Jane Doe tried finding the names of RoI personnels, including John Doe 1 et al., behind Impugned Conducts and details on modes of covert surveillance by formally filing Access to Information and Privacy (ATIP) requests with Public Safety Canada (PSC). But the information was denied on exemption basis citing Canada's commitment to international relations and security issues; and, subsequent complaints to the Office of Privacy Commissioner (OPC) and the Office of Information Commissioner (OIC) were made regarding the conduct of PSC.

31. These ATIP requests to PSC were a means for Jane Doe to find evidence against misdoers of Defendant RoI and their supporters in Canada. The discretionary exercise of the federal institute's power to withhold evidentiary information is unreasonable and unjustified. This non-disclosure of evidence and denial of relevant information by PSC further deprived rights of life, liberty and security mentioned in the *Charter* s. 7 to Jane Doe; and, she consequently has to continue bearing stated wrongdoings including material Privacy breach. This Impugned Conduct is overboard as well as grossly disproportionate in the sense that case-specific refugee interests are marred by the use of discretionary provisions of the federal Acts in bad faith and/or for improper purpose; and, is subject to *Charter* scrutiny as per s. 32 (1).

32. *Charter* s. 8 states as follows:

Everyone has the right to be secure against unreasonable search or seizure.

33. *Charter* s. 15 states as follows:

- (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.
- (2) Section (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

34. *Charter* ss. 8 and 15 provisions are inherently compromised for Jane Doe as other Canadians and refugee claimants are not continuously subject to surreptitious voyeurism through covert surveillance, including into their bedrooms and bathrooms. The severity of the compromise is heightened given arbitrary psychological detention that involves interception and recording of Jane Doe's private communications by the country of her persecution (Defendant RoI) in Canadian territory; and, these Impugned Conducts are supported by the Defendant Crown. Private communications include, *inter alia*, the content of email communications, phone communications, and text message communications, as well as photographs and video taken with, or stored on personal communication devices.

35. Dignity, integrity and autonomy of Jane Doe are continuously subject to non-consensual privacy intrusions at every possible level, which is unreasonable as per the *Charter* ss. 8 and 15. And, these wrongdoings are also contrary to the overlapping provisions of the *Privacy Act* (RSC 1985). Most importantly, these Impugned Conducts outrage standards of decency that are expected in any free and democratic society and cause irreparable reputational harm to Jane.

36. *Charter* s. 1 states as follows:

The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

37. The said infringements of the *Charter* ss. 7, 8, 9, 12 and 15 cannot be justified pursuant to the criteria of s. 1, the burden of proof of which lies on the Crown.

38. The stated grievances also raise two important questions:

i) Are Impugned Conducts justifiable given Canada's commitments to *International Covenant of Civil and Political Rights* and refugee interests in availing fundamental justice (which incorporate, *at least*, the requirements of the common law duty of procedural fairness)?

ii) Is arbitrary psychological detention, involving material Privacy breach and onerous release conditions, of any refugee claimant seeking protection in Canada constitutionally valid?

Relevant Statutes

39. The Plaintiff pleads and relies upon the following:

- the *Canadian Charter of Rights and Freedoms* (the “Charter”), ss. 7, 8, 9, 12, 15, 24 and 32(1);
- the *Constitution Act*, 1982, s. 52;
- the *Federal Courts Act*, RSC 1985, c. F-7;
- the Federal Court Rules (SOR/98-106);
- the *Crown Liability and Proceedings Act*, RSC 1985, c. C-50; and,
- the *Privacy Act*, RSC 1985.

40. The Plaintiff also relies on this Court’s plenary jurisdiction and such other statutory provisions and materials that this Honourable Court will permit during the course of this action and further trial.

41. The Plaintiff proposes that this action be tried at Ottawa, Ontario, Canada.

Date: April 11, 2024



Jane Doe

(Signature of Self-represented Plaintiff)

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256 King Edward Avenue
Ottawa, Ontario K1N 7M1, Canada

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Jane Doe
Plaintiff

-and-

His Majesty the King in Right of Canada, the Republic of India, Google LLC, Alphabet Inc.,
Rogers Communications Canada Inc., Bell Canada, Telus Communications Inc., John Doe 1 et al.
Defendants

Court File No.:

FEDERAL COURT OF CANADA
Proceedings Commenced in Ottawa

STATEMENT OF CLAIM

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