

# Court of King's Bench of Alberta

Citation: Royal Bank of Canada v Anderson, 2023 ABKB 686

Date: 20231204  
Docket: 2101 07946  
Registry: Calgary

Between:

**Royal Bank of Canada**

Plaintiff

- and -

**Sandra Ann Anderson A.K.A. Sandra-Ann, Authorized Representative A.K.A. Sandra-Ann: Anderson, A.K.A. Sandra Anderson, Woman Sandra of the Anderson Family, A.K.A. I Woman Sandra-Ann, Acting As Agent for and on Behalf of Sandra Anderson, A.K.A. Sandra-Ann: woman, A.K.A. Sandra-Ann, Executor, A.K.A. Sandra-Ann, A.K.A. Sandra-Ann: Anderson All Rights Reserve Cestui Que Use, Principal Beneficial Owner, A.K.A. Sandra-Ann Ambassador, A.K.A. I: Sandra-Ann: Anderson, Child of God, A.K.A.: Sandra-Ann: From the House of Anderson, A.K.A.: Sandra-Ann: Anderson Authorized Agent and Beneficial Owner of the Trust Known As Anderson, Sandra Ann©, Trust and Estate**

Proposed Applicant / Defendant

- and -

**Attorney General of Canada**

Proposed Respondent / Third Party

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**Memorandum of Decision  
of the  
Associate Chief Justice  
D.B. Nixon**

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**I. Introduction**

[1] This Memorandum of Decision responds to correspondence sent by registered mail from Sandra Ann Anderson [Ms. Anderson], dated November 17, 2023, and addressed to Justice Jones and now former Chief Justice Moreau. This correspondence has been directed to me since I am the administrative justice for southern Alberta who responds to abusive and problematic litigation and litigants. I am now the Justice of this Court who responds to Ms. Anderson and her litigation: *Royal Bank of Canada v Anderson*, 2023 ABKB 661 [*RBC v Anderson #9*].

[2] Ms. Anderson is a highly active, abusive Organized Pseudolaw Commercial Argument [OPCA] litigant: see *Meads v Meads*, 2012 ABQB 571. Ms. Anderson’s record of repeated and persistent abuse of this Court and other litigants led Associate Chief Justice Rooke to, on April 26, 2022, impose court access restrictions on Ms. Anderson. He did this following a *Judicature Act*, RSA 2000, c J-2 ss 23-23.1 application by the Attorney General of Canada [Canada]: *Canada (Attorney General) v Anderson*, 2022 ABQB 310 [*Canada v Anderson*]. Further stringent communications and filing restrictions were subsequently imposed on Ms. Anderson in *Royal Bank of Canada v Anderson*, 2022 ABQB 525 at para 62 [*RBC v Anderson #2*]. The combined effect of *Canada v Anderson* and *RBC v Anderson #2* is that Ms. Anderson cannot file any document with the Alberta Court of King’s Bench, except with permission – “leave” – of the Court.

[3] In a cover letter which accompanied her November 17, 2023 materials, Ms. Anderson does not explicitly state her materials are a request to obtain leave to file a document titled “Application to Set Aside a Judgment” [Application]. However, I infer that to be her intention. I make this inference because her cover letter explicitly lists the criteria for a leave application set in *RBC v Anderson #2* at para 23. Ms. Anderson has attached an unfiled Affidavit of herself sworn on November 17, 2023.

[4] Briefly, Ms. Anderson says that as a “Defendant” she was unable to participate in an October 31, 2023 Application that led to Price J making an order that paid to Canada \$31,497.13 in funds held by the Court as “security against pseudolaw and abusive conduct”. Ms. Anderson now in her proposed Application seeks to undo that outcome.

[5] To properly appreciate Ms. Anderson’s and the Court’s positions requires a review of events have led to the current situation.

March 23, 2021 – Ms. Anderson filed with the Alberta Court of King’s Bench a packet of documents [*Vigilante Lawsuit*] that purported to unilaterally commence a vigilante OPCA proceeding in the “Anderson Court”, that would use Alberta Court of King’s Bench facilities, where Ms. Anderson is the “prosecutor”, operating under the “common law”.

The targets of this purported proceeding were employees and administrators of the Canada Border Service Agency and a Public Prosecution Service of Canada lawyer. These individuals were directly or indirectly involved in Ms. Anderson being fined and subject to criminal proceedings that resulted from her international horse smuggling.

May 3, 2021 – Counsel for Canada referred the March 23, 2021 filings for a Civil Practice Note No. 7 [CPN7] “show cause” review.

May 13, 2021 – Rooke ACJ issued *Anderson v Ossowski*, 2021 ABQB 382 [*Anderson v Ossowski #1*] that stayed the *Vigilante Lawsuit* and required Ms. Anderson establish that the *Vigilante Lawsuit* had a valid basis.

June 1, 2021 – Ms. Anderson responded with further pseudolaw materials, the *Vigilante Lawsuit* was struck out, and Ms. Anderson was instructed to make submissions as to why she should not be subject to elevated cost awards: *Anderson v Ossowski*, 2021 ABQB 428 [*Anderson v Ossowski #2*].

June 11, 2021 – Ms. Anderson responded by sending the Court copies of the earlier two *Anderson v Ossowski* Decisions, having written across these documents “No Trespass Contract Declined”. Associate Chief Justice Rooke imposed a total of \$27,500 in costs: *Anderson v Ossowski*, 2021 ABQB 456 [*Anderson v Ossowski #3*].

February 14, 2022 – Canada made an application to make Ms. Anderson subject to *Judicature Act*, RSA 2000, c J-2 ss 23-23.1 court access restrictions.

April 26, 2022 - Associate Chief Justice Rooke in *Canada v Anderson* imposed court access restrictions and awarded \$2,000 in costs against Ms. Anderson.

June 2021 to February 2023 – Royal Bank of Canada [RBC] foreclosed on a rental condo owned by Ms. Anderson. Ms. Anderson rejected she owed any debt to RBC, and instead claimed that RBC should refund condo mortgage and credit card payments. The foreclosure that followed was drawn out by Ms. Anderson engaging in many steps to frustrate the foreclosure that included many OPCA claims and strategies.

During this RBC proceeding, the Court concluded that since Ms. Anderson is effectively unmanageable, and will never make any payment of damages, costs, or penalties, it should order funds paid from a large inheritance held by Royal Trust on behalf of Ms. Anderson: *Royal Bank of Canada v Anderson*, 2022 ABKB 733; *Docken v Anderson*, 2023 ABKB 313. A total of \$650,000 was paid into Court during this process. Those funds were called “security for costs”, but that pool of money is more accurately described as “security against pseudolaw and abusive conduct by Ms. Anderson in the Alberta Court of King’s Bench that injures others and causes injustice”: *Royal Bank of Canada v Anderson*, 2023 ABKB 180. Many payments were made on this basis in relation to multiple actions, and Ms. Anderson’s improper and abusive interactions with the Court.

October 5, 2023 – Canada applied to have the Alberta Court of King’s Bench order that the costs awards imposed in *Anderson v Ossowski #3* and *Canada v Anderson*, currently a debt of \$31,497.13 including interest, paid from the “security against pseudolaw and abusive conduct” funds pool, then \$364,730.68.

October 15, 2023 – Ms. Anderson sent the Court correspondence that was outside the communications protocol stipulated in *RBC v Anderson #2* and made legal argument, and, among other things, sought amendments to *RBC v Anderson #2*.

October 19, 2023 – Executive Legal Counsel for the Court responded that no steps would be taken by the Court on the basis of irregular communications and unless Ms. Anderson followed the *Canada v Anderson* and *RBC v Anderson #2* processes.

October 25, 2023 – Ms. Anderson submitted a request to the Clerk of the Court to change the October 31, 2023 hearing to a video Webex process. That request was rejected pursuant to *RBC v Anderson #2*, and Ms. Anderson was cautioned to follow the *RBC v Anderson #2* process.

October 30, 2023 – A package of documents was received from Ms. Anderson, sent by Xpresspost, and not registered mail as required by the *RBC v Anderson #2* process. Those documents are detailed in *RBC v Anderson #9* at paras 15-20, but, briefly, these were further OPCA documents where Ms. Anderson claimed as follows:

- Canada’s October 5, 2023 Application should be dismissed, Ms. Anderson should receive “litigation awards”, and be paid as though she is a lawyer, at \$425 per hour for 70 hours;
- the *Vigilant Lawsuit* was wrongly rejected by the Alberta Court of King’s Bench since CPN7 is illegal and unauthorized; and
- pseudolaw Strawman Theory claims that Ms. Anderson is a “natural person” and her jurisdiction is “municipal”, and that Ms. Anderson has unilaterally “withdrawn” the “person”, “Sandra Ann Anderson”, from federal and provincial jurisdiction.

October 31, 2023 – Ms. Anderson on several occasions called the Clerk of the Court. Ms. Anderson was cautioned that she should not communicate with the Clerks via telephone. While the initial communications were polite, Ms. Anderson subsequently announced that she was recording her telephone calls, and that she would not be subject to any further fines for her breach of *RBC v Anderson #2*. The Clerk hung up on Ms. Anderson.

Canada’s Application proceeded without Ms. Anderson. Price J ordered payment by the Court to Canada of \$31,497.13, reducing the funds held by the Court as “security against pseudolaw and abusive conduct” to \$333,233.55.

November 17, 2023 – Ms. Anderson submitted her packet of materials by registered mail.

November 22, 2023 – This Court issued *RBC v Anderson #9*, which responded to Ms. Anderson’s continued use of OPCA strategies in her October 30, 2023 materials, her repeated breach of the *RBC v Anderson #2* communications structure, and her threatening of a Clerk of the Court. A further \$55,000 *Rule* 10.49(1) of the *Alberta Rules of Court*, Alta Reg 124/2010 penalty was imposed on Ms. Anderson and paid out of the “security against pseudolaw and abusive conduct” funds held by the Court, reducing the total to \$278,233.55.

[6] This timeline provides the full context for Ms. Anderson’s request to file an Application to “set aside” the October 31, 2023 Order of Justice Price, and also illustrates that Ms.

Anderson's November 17, 2023 materials were sent prior to the issuance of *RBC v Anderson #9*. That means Ms. Anderson did not have the benefit of this Court's conclusions in that Decision on the merits (or lack thereof) in Ms. Anderson's claims concerning the October 31, 2023 hearing, and related events.

[7] The November 17, 2023 materials from Ms. Anderson appear to conform to the requirements set in *Canada v Anderson* and *RBC v Anderson #2* for a valid leave to file application. These documents are properly before the Court, so I will respond and review whether Ms. Anderson has established a reasonable basis for her proposed Application.

## II. Test for Leave to Initiate Litigation

[8] The courts have set out rules to deal with litigation matters. "... [A] person subject to court access control is presumed to engage in illegitimate litigation unless the Court is satisfied otherwise. ...": *Re Thompson*, 2018 ABQB 87 at para 19, aff'd 2018 ABCA 111, leave to appeal to SCC refused, 38204 (14 February 2019).

[9] Permission to initiate litigation or continue stayed litigation both test the merit of Court activities on the same standard. A person subject to court access restrictions must:

- 1) establish reasonable grounds for the litigation; and
- 2) depose fully and completely as to the facts and circumstances surrounding the proposed claim or proceeding.

[*Re Thompson*, 2018 ABQB 87 at paras 19, 27; *VWW v Wasylyshen*, 2013 ABQB 327 at para 42, aff'd 2014 ABCA 121.]

[10] This threshold, which must be established on a balance of probabilities, is not a high one, and, in many ways, parallels the test for Summary Judgment: *Re Thompson*, 2018 ABQB 87 at paras 19, 26. The person subject to Court access leave restrictions is expected to put his or her "best foot forward" to establish the basis to initiate or continue an Action: *Re Thompson*, 2018 ABQB 87 at paras 26-27.

[11] In addition, the British Columbia Court of Appeal in *Gichuru v Purewal*, 2023 BCCA 345 stressed a broad and contextual evaluation of the reasonableness of proposed litigation. To determine whether a leave request is reasonable, a court may take into account the purposes of the specific court access restrictions (para 34), economic aspects of the proposed litigation (paras 40, 49), failure to pay costs (paras 47-48), and the potential the justice system will be misused (para 46).

[12] The documents necessary to seek leave are an affidavit to provide evidence, and, in the case of a new Action, an Application, an Appeal, or other litigation step, a copy of the proposed initiating filing: e.g., *Re Moore*, 2018 ABQB 261; *Latham (Re)*, 2018 ABQB 906.

[13] Leave may be granted in part: *Latham (Re)*, 2018 ABQB 906; *Belway v Lalonde-Weber*, 2017 ABCA 108 at para 10, leave to appeal to SCC refused, 37708 (21 December 2017).

[14] Leave submissions to initiate or continue litigation may also be rejected:

- 1) where the materials do not satisfy the criteria set out in the Court Access Restriction Order (*Re Gauthier*, 2018 ABQB 99; *Re Botar*, 2018 ABQB 193; *Thompson v Alberta Labour Relations Board*, 2018 ABQB 220, leave to appeal

to SCC refused, 38267 (31 January 2019); **Re Thompson**, 2018 ABQB 355, leave to appeal to SCC refused, 38266 (31 January 2019); **Association of Professional Engineers and Geoscientists of Alberta v Drover**, 2021 ABQB 511; **Richardson v MacDonald**, 2022 ABQB 274);

- 2) if the submissions exhibit *indicia* of abusive litigation (**ET v Calgary Catholic School District No 1**, 2017 ABCA 349 at para 12, leave to appeal to SCC refused, 38081 (8 November 2018); **Alberta Treasury Branches v Hok**, 2018 ABQB 316; **Thompson v Alberta Labour Relations Board**, 2018 ABQB 220; **Re Botar**, 2018 ABQB 193; **Trinity Place Foundation of Alberta v Templanza**, 2019 ABQB 45; **Onischuk (Re)**, 2019 ABQB 229; **Fletcher v Davidson & Williams LLP**, 2019 ABQB 396; **Ubah v Canadian Natural Resources Limited**, 2021 ABQB 208; **Knutson (Re)**, 2021 ABQB 367; **McMunn v Hok**, 2021 ABQB 550; **Canadian Imperial Bank of Commerce v Hayden**, 2021 ABQB 985, leave to appeal to SCC refused, 40284 (4 May 2023); **Rana v Rana**, 2022 ABQB 79; **Canadian Imperial Bank of Commerce v Hayden**, 2022 ABQB 97, leave to appeal to SCC refused, 40284 (4 May 2023); **Rana v Rana**, 2022 ABQB 111; **Rana v Rana**, 2022 ABQB 114; **Fiset v Feeney**, 2022 ABQB 211; **Hayden v Alberta Health Services**, 2022 ABQB 335; **Richardson v MacDonald**, 2022 ABQB 274; **Royal Bank of Canada v Anderson**, 2022 ABQB 354; **Canadian Imperial Bank of Commerce v Hayden**, 2022 ABQB 498; **Bissky v MacDonald**, 2022 ABKB 774; **Hayden v Canadian Imperial Bank of Commerce**, 2023 ABKB 100; **Ubah v Ubah**, 2023 ABKB 111; **Rana v Rana**, 2023 ABKB 295; **Canadian Imperial Bank of Commerce v Hayden**, 2023 ABKB 384; **Ubah v Ubah**, 2023 ABKB 388; **Ubah v Association of Professional Engineers and Geoscientists of Alberta**, 2023 ABKB 390; **R v Tican**, 2023 ABKB 422; **Knutson (Re)**, 2023 ABKB 589; **Templanza (Re)**, 2023 ABKB 645);
- 3) where the abusive litigant refuses to provide the proposed filing (**Re Thompson**, 2018 ABQB 355; **Onischuk (Re)**, 2019 ABQB 229; **Hayden v Alberta Health Services**, 2022 ABQB 335);
- 4) where the abusive litigant provides false information or fails to provide necessary information (**Re Gauthier**, 2018 ABQB 99; **Rana v Rana**, 2022 ABQB 114; **Bissky v MacDonald**, 2022 ABKB 774);
- 5) where the abusive litigant fails to provide materials that are required to evaluate the proposed litigation step, such as a transcript of a proceeding proposed for appeal (**Alberta Treasury Branches v Hok**, 2018 ABQB 316; **Canadian Imperial Bank of Commerce v Hayden**, 2021 ABQB 985, leave to appeal to SCC refused, 40284 (4 May 2023); **Rana v Rana**, 2022 ABQB 111; **Hayden v Alberta Health Services**, 2022 ABQB 335; **R v Tican**, 2023 ABKB 422; **Carter v Horizon Housing Society**, 2023 ABKB 558);
- 6) where the Court has no jurisdiction over the matter (**Hayden v Alberta Health Services**, 2022 ABQB 335; **Ubah v Ubah**, 2023 ABKB 111); and
- 7) where the individual subject to court access restrictions does not have standing to make the leave request (**Ubah v Ubah**, 2023 ABKB 388).

[15] There is no appeal to the Court of Appeal of Alberta of a decision to deny leave to initiate or continue litigation: *Rule 14.5(4)* of the *Alberta Rules of Court*, Alta Reg 124/2010; *Re Gauthier*, 2018 ABCA 14 at para 8. A litigant who is denied leave to initiate or continue litigation by the Court of King’s Bench of Alberta may, however, seek leave from the Supreme Court of Canada.

### III. Analysis

[16] Ms. Anderson’s proposed Application seeks the following.

1. An Order setting aside the Judgment against the Defendant, SANDRA ANDERSON (SA) filed by the Plaintiff on October 31st, 2023.
2. An interim order staying any enforcement and or payment of the Judgement granted, by [Justice] Price in this Action on October 31st, 2023 pending the outcome of this application.
3. An Order allowing SA to file a Statement of Defense/Counterclaim in this Action.
4. An Order abridging the time for service of this Application and supporting Affidavit, if required.
5. An Order granting SA the ability to attend Court via Webex in this matter.
6. An Order upholding Sandra Anderson's, Human Rights according to the Canadian Bill of Rights, 1960 sections 1(a), 1(b) and 2(e).

[17] Ms. Anderson in her Application and Affidavit advance a number of grounds for why her Application is valid. Her points can be summarized as follows.

1. Ms. Anderson was denied permission to appear at the October 31, 2023 hearing remotely by Webex, and the October 19, 2023 reply by the Court’s Executive Legal Counsel was inadequate and unresponsive. Ms. Anderson characterizes this, and other communications responses, as “... [Sandra Anderson] is being ignored by the Court.”
2. “The Defendant did not deliberately fail to attend the hearing on October 31, 2023.”
3. Ms. Anderson:  
... fears attending the Court as she has previously been assaulted and harmed physically and unlawfully by Sheriffs and Police officers of the Court on two occasions in the past and thus has extreme anxiety and fears for her life.
4. Ms. Anderson has an “arguable defence/counter claim” to Canada’s Application, and that was the materials sent to the Court on October 30, 2023.
5. Ms. Anderson has on several occasions attempted to retain legal counsel in relation to her matters, but has been unsuccessful. Ms. Anderson attributes that to former Associate Chief Justice Rooke cautioning Alberta lawyers that Ms.

Anderson has misused lawyers and legal services for “bad purposes”: *Royal Bank of Canada v Anderson*, 2022 ABQB 577 at para 27 [*RBC v Anderson #4*].

[18] In my view, none of these grounds is a reasonable basis for Ms. Anderson’s Application to set aside the October 31, 2023 oral decision of Price J.

#### **A. In Person Appearance**

[19] Ms. Anderson’s first complaint is that she should have been permitted to appear remotely by Webex at the October 31, 2023 hearing. Ms. Anderson provides no explanation in her November 17, 2023 materials for why that was necessary, though I will subsequently draw an inference on Ms. Anderson’s actual motivation.

[20] The first reason to reject Ms. Anderson’s complaint about the October 31, 2023 hearing not proceeding by video is simply that Ms. Anderson did not follow the *Canada v Anderson* and *RBC v Anderson #2* protocols, and this Court has already decided that issue: *RBC v Anderson #9* at paras 14-16. If Ms. Anderson disagrees with that conclusion, she should seek a remedy at the Alberta Court of Appeal.

[21] Second, I determined this complaint is not a reasonable basis for the proposed Application because Ms. Anderson has an extensive record of being unmanageable in video conference proceedings. Ms. Anderson will not follow court instructions, unmutes herself to repeatedly interrupt proceedings, then ultimately is ejected from the video conference: e.g., *RBC v Anderson #4* at para 8. In brief, Ms. Anderson is not a suitable litigant to appear remotely where she can disrupt court proceedings outside of the Court’s control.

[22] Third, Ms. Anderson deposes she “... did not deliberately fail to attend the hearing on October 31, 2023.” That raises the question of then why she did not appear in person, in court. She obviously knew the time, date, and location of the hearing. If some interfering event occurred, Ms. Anderson has provided no evidence of that, nor how the Court and/or opposing parties could be implicated.

[23] Based on the evidence before me and my analysis of the law, I conclude that the fact Ms. Anderson did not receive permission to appear remotely via Webex on October 31, 2023 is not a reasonable basis to conclude that the Application is valid litigation.

#### **B. Unlawful Violence and Threats from Sheriffs and Law Enforcement**

[24] Ms. Anderson complains that she has been assaulted and harmed by Court Sheriffs and unidentified “Police officers” on two occasions, leaving her with “extreme anxiety and fears for her life.” Though not stated explicitly, Ms. Anderson appears to be arguing that she could not safely appear in person at the October 31, 2023 hearing, because she expected violence from law enforcement.

[25] Ms. Anderson provides no evidence to substantiate these claims. She does not say where and how these two events transpired. She does not provide dates, or who was involved. Her materials do not include any evidence of complaints to any authority or agency that responds to potential peace officer misconduct, or criminal activity.

[26] Based on the evidence before me and my analysis of the law, I find that Ms. Anderson’s claims are only “bald allegations” (*GH v Alcock*, 2013 ABCA 24 at para 58; *Mancuso v Canada (National Health and Welfare)*, 2015 FCA 227 at paras 16-20) which do not satisfy the “best



foot forward” and balance of probabilities criteria to establish a reasonable basis for leave to file being granted (*Re Thompson*, 2018 ABQB 87).

[27] Instead, the Court is well aware that Ms. Anderson has a record of problematic and disruptive in-court appearances in the Alberta Court of Justice. Her conduct has required the Sheriffs to intervene and eject Ms. Anderson from the Calgary Court Centre, along with her “private sovran attorney general” Daniel Terry Lozinik: *RBC v Anderson #2* at paras 21-22.

[28] Ms. Anderson is presently facing multiple criminal proceedings in the Alberta Court of Justice, including the following.

- Docket 190768739P1 - charges include driving while impaired, failure to produce a driver’s licence, and operating a motor vehicle while having a prohibited blood alcohol concentration.
- Docket 2107766471 - uttering a forged document (forged COVID-19 test results) and transporting fireworks on an aircraft.
- Dockets 210335584P1, 201295763P1 - customs and fraud offenses resulting from Ms. Anderson’s international horse smuggling.
- Docket 211079462P101 - failure to attend court.
- Docket 211071105P1 - failure to comply with release conditions.

[29] Ms. Anderson has not appeared at scheduled criminal court appearances before the Alberta Court of Justice. Further, she is the target of multiple arrest warrants.

[30] This Court has previously concluded that Ms. Anderson has absconded from Canada to the US to evade arrest and detention in her criminal proceedings: *RBC v Anderson #2* at para 23. From her November 17, 2023 Affidavit, Ms. Anderson now appears to be physically in Calgary, Alberta. She personally attended a lawyer’s office where the lawyer notarized Ms. Anderson’s Affidavit.

[31] Based on the evidence before me, I conclude that Ms. Anderson faces no real threat of being illegally assaulted or harmed if she attends Alberta court proceedings in person. However, she will probably get arrested. I infer that is the actual reason Ms. Anderson wants to appear remotely.

[32] In my view, the current situation is Ms. Anderson’s choice. She chose to not attend the Alberta Court of Justice proceedings against her and breached her release conditions. Ms. Anderson has no one to blame but herself. If Ms. Anderson wishes to address her outstanding arrest warrants, then she should retain a defence lawyer and surrender herself to law enforcement.

### **C. An Arguable Defence/Counter Claim**

[33] Ms. Anderson in her November 17, 2023 materials argues that she has identified an “arguable defence/counter claim” to Canada’s Application that led to the October 31, 2023 appearance. This potential “defence/counter claim” has already been reviewed and rejected in *RBC v Anderson #9*. Given that background, there is no basis to grant leave on this point. In particular, this Court has no jurisdiction to review the legal basis, analysis, and/or outcomes of the *Anderson v Ossowski #1-3* decisions. The only way Ms. Anderson can challenge those outcomes is at the Alberta Court of Appeal.

**D. Ms. Anderson is Unable to Retain Counsel**

[34] Ms. Anderson in her Affidavit states she has tried to hire lawyers, but they refuse to accept her as a client. She includes several email exchanges with law firms and lawyers to that effect. I do not find that a reasonable basis for the proposed Application. I make this determination because the Court has taken no steps to limit or order lawyers practicing in Alberta not interact with Ms. Anderson. Previously judgments have observed that Ms. Anderson was having Alberta lawyers breach their professional duties, legislation, and the instructions of the Law Society of Alberta by notarizing OPCA documents. A penalty was imposed against a lawyer in one instance for that misconduct: *Royal Bank of Canada v Anderson*, 2022 ABKB 838.

[35] The relationship between a lawyer and client is a contract. That is a private matter for Ms. Anderson, not the Court. I also note that when Ms. Anderson said Alberta lawyers would not work with her, that was not quite accurate. Her Affidavit, which is a conventional, non-pseudolaw document, was notarized by Calgary lawyer Matthew V. Raketti. What lawyers will refuse to do – as they must – is participate in and advance abusive OPCA schemes.

[36] Though I will provide no directions to Ms. Anderson on how she should obtain counsel, I did review the communications she attached. As a result of that review, I have three observations.

[37] First, in those communications, Ms. Anderson says she can assist in preparing documents for her planned appeal, or “can do most of the appeal” and just needs a lawyer to file her materials. Given Ms. Anderson’s dismal record in this Court, that will be a red flag for a lawyer.

[38] Second, is that lawyers’ professional ethics and obligations as officers of this Court mean they cannot engage in OPCA-based litigation. I also note that most lawyers will be alarmed by the implications of Ms. Anderson’s record of adopting fictitious lawyer personas to interact with the Court: *Docken v Anderson*, 2023 ABKB 515.

[39] Third, when it comes to retaining a lawyer, there are plenty of fish in the sea. Ms. Anderson is not a destitute person. If Ms. Anderson wishes to engage a lawyer, she will benefit if she makes a clear break from her prior illegal and abusive pseudolaw litigation strategies. Whether that happens is up to her.

**E. The Court has No Jurisdiction**

[40] Finally, there is a separate reason why I reject Ms. Anderson’s leave Application. She seeks to “undo” the October 31, 2023 oral decision and subsequent Order of Price J. This Court has no jurisdiction to do so.

[41] The principle of *res judicata* means this Court has no authority to return to a past decision. If Ms. Anderson disagrees with the October 31, 2023 decision, her remedy is with the Alberta Court of Appeal.

**IV. Additional Steps in Response to the November 17, 2023 Leave Application**

[42] This Court has repeatedly imposed escalating *Rule* 10.49(1) penalties when Ms. Anderson has acted in defiance of this Court’s Orders, and has engaged in abusive pseudolaw litigation, and direct and proxy harassment and bullying of court staff. I have in this instance

rejected Ms. Anderson's leave to file request. That potentially could warrant a further *Rule* 10.49(1) penalty: ***RBC v Anderson #2*** at para 62.

[43] I conclude that although I have rejected Ms. Anderson's request for leave to file the Application, that in this instance a further penalty is not appropriate. My reasons are three-fold.

[44] First, the materials sent to the Court on November 17, 2023 are obviously a serious attempt by Ms. Anderson to follow the ***Anderson v Canada*** and ***RBC v Anderson #2*** procedures. That is a significant shift in how Ms. Anderson has interacted with the Court to date. As such, this current Application is an indication of improved and *Rules* compliant litigation activity.

[45] Second, some of the spurious bases on which Ms. Anderson made her November 17, 2023 request were rejected in a different decision of this Court: ***RBC v Anderson #9***. In a sense, the November 17, 2023 materials and ***RBC v Anderson #9*** crossed paths. Given the circumstances, I conclude it is not appropriate to penalize Ms. Anderson for "re-litigating" an argument she did not know was rejected.

[46] Third, Ms. Anderson did not advance OPCA arguments in her November 17, 2023 materials, nor do her materials exhibit the usual prohibited indicia of pseudolaw litigation, except that she has signed her cover letter and Affidavit with "All Rights Reserved". Ms. Anderson should be aware that if she does that again, her candidate filings will be rejected: see ***Babb v Parrish & Heimbecker Limited***, 2019 ABQB 687.

[47] When one appears before this Court, you do not get to "reserve rights". The Court has full authority, by legislation, common law, and its inherent jurisdiction, to address any subject where a justiciable right requires a court to vindicate that right, except where the authority to respond to an issue has been transferred to a different court: ***Canada (Human Rights Commission) v Canadian Liberty Net***, 1998 CanLII 818 (SCC), [1998] 1 SCR 626 at para 32; ***Board v Board***, 1919 CanLII 546 (UK JCPC), [1919] AC 956 962-63 (PC).

[48] I, therefore, do not impose a further *Rule* 10.49(1) penalty on Ms. Anderson. I encourage Ms. Anderson continue her new approach to interacting with this Court. As other Justices of this Court have done before, I also believe Ms. Anderson would benefit from retaining a lawyer. However, Ms. Anderson should not expect that lawyer to breach his or her professional and legal obligations in doing so.

## V. Conclusion

[49] Ms. Anderson's November 17, 2023 leave to file request is rejected. This outcome is final: ***Canada v Anderson*** at para 23(6).

[50] Pursuant to my obligations to provide information to self-represented persons (***Pintea v Johns***, 2017 SCC 23) concerning their litigation options, if Ms. Anderson disagrees with this Memorandum of Decision, then her remedy is to seek leave to appeal from the Supreme Court of Canada.

[51] Ms. Anderson shall be served this Decision to these email addresses: andersonsandra@gmail.com and saalivingtrust@gmail.com. A copy of this Memorandum of Decision will also be directed to Counsel for the Attorney General of Canada in the October 5, 2023 Application.

**Dated** at the City of Calgary, Alberta this 4<sup>th</sup> day of December, 2023.

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**D.B. Nixon**  
**A.C.J.C.K.B.A.**

**Appearances:**

Sandra Ann Anderson  
Self-represented Litigant