



CITADEL LAW CORPORATION

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Philip J. Dougan
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File No. 1502-1

August 31, 2021

VIA MAIL

Kwantlen Polytechnic University
12666 72 Avenue
Surrey, BC V3W 2M8

Dear Sirs/Mesdames:

Re: Mandatory Vaccination Order

Canadian Society for the Advancement of Science in Public Policy v. HMTQ and Dr. Bonnie Henry et al, SCBC Vancouver Registry File No. S210831

We represent the Canadian Society for the Advancement of Science in Public Policy¹ in the above noted action brought pursuant to the B.C. *Class Proceedings Act*. The class action challenges the constitutional basis of the British Columbia Public Health Officer and provincial government's COVID-19 related orders, amongst others. A copy of the Notice of Civil Claim is attached.

The Public Health Officer, Dr. Henry, made a press release on August 24, 2021 that she will be issuing a new order requiring students, faculty and staff to provide proof of vaccination to access a broad range of social, recreational, and discretionary events throughout British Columbia post-secondary institutions as of September 7, 2021.

The proposed order also affects post-secondary on-campus student housing, without any exceptions for health, religious or other circumstances.

By requiring students, faculty and staff to be vaccinated you will be discriminating against some members of the public who for example have respiratory and other health or religious concerns that make vaccination not possible or dangerous to their health. This is a form of discrimination based on physical disability and religion and is contrary to ss.8 and 13 of the BC *Human Rights Code*.

We have instructions to challenge the proposed order, including seeking a stay, and hereby put you on notice that any steps taken by your institution to discriminate against students that have not been vaccinated may result in liability for any personal injury and other damages arising from

¹ <https://www.covidconstitutionalchallengebc.ca>

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mandatory vaccination requirements, and you should verify with your insurer if you are covered in such eventuality.

While the government's actions may be well meaning, in our opinion, they are not based in law or in substantiated scientific evidence and are prejudicial to members of our community.

Yours very truly,

CITADEL LAW CORPORATION

A handwritten signature in black ink, appearing to read "Polina H. Furtula".

Per:

POLINA H. FURTULA