

Court File No.:

FEDERAL COURT

BETWEEN:

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCY, and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY
GENERAL OF CANADA

Respondents

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and
Rules 301 of the *Federal Courts Rules*.

AFFIDAVIT OF EDWARD CORNELL

I, EDWARD CORNELL, a retired member of the Canadian Armed Forces of the

 in the Province of New Brunswick, SWEAR THAT:

Background

1. I am one of the named Applicants herein, and as such I have personal knowledge of the facts and matters herein deposed to except where based on information and belief in which case I believe the same to be verily true.
2. I am 64 years old.
3. I am a retired member of the Canadian Armed Forces where I achieved the rank of Warrant Officer.

4. 

5. On June 15th, 1987, I received a Medal of Bravery awarded by the Secretary to the Governor General for recognition of an act of bravery in hazardous circumstances during active duty in Limassol, Cyprus (the "**Medal of Bravery**"). Attached and marked hereto as **Exhibit "B"** to this Affidavit is a copy of the Medal of Bravery.
6. I further served as an auxiliary police officer with the Ontario Provincial Police from 2013 to 2015.

Involvement with the "Freedom Convoy"

7. I had very limited involvement with the so called "Freedom Convoy" initially.
8. On January 23, 2022, my wife and I decided to go to Ottawa to join the protests after we saw the Freedom Convoy travel through Moncton, New Brunswick on its way to Ottawa.
9. On January 29, 2022, I arrived in Ottawa to support the truckers involved in the Freedom Convoy (the "**Protests**") and I wore my military medals (the "**Military Medals**") when I attended the Protests. Attached and marked hereto as **Exhibit "C"** to this Affidavit is a picture of the Military Medals.
10. On January 31, 2022, I returned home with my wife from Ottawa.
11. On February 2, 2022, I arrived back in Ottawa alone to support the Freedom Convoy protestors, and I again wore my Military Medals throughout my attendance at the Protests.
12. I remained in Ottawa until February 21, 2022.
13. My intentions in returning to Ottawa was to support the Protests. I had, and still have, zero beliefs or intentions about overthrowing the elected government of Canada. I

believe in democracy and elected governments. My military record supports my belief in standing up for democracy and democratic rights all over the world.

14. My own observations of the Protests are that they were entirely peaceful. I did not witness any hostility from anyone towards anyone. Likewise, there were people of all different backgrounds, races, and ethnicities present. The mood throughout was festive and friendly.
15. Eventually, my role morphed into a position where I was asked to help participate in a liaison type of role between the police and the protestors. It is my belief that this was because both the police and protestors trusted me when they saw my Military Medals. It is my further belief that I presented as a trust worthy person.
16. Throughout my time at the Protests, hugs and handshakes with both police officers and protestors were commonplace.
17. I personally spoke with numerous members of the police who were present at the Protests. Several members of the police who observed me with my Military Medals on told me that they supported what the protestors were there for.
18. It is my opinion and belief that my role in the Protests was peaceful and the atmosphere was one of solidarity amongst my fellow Canadian citizens.

Emergencies Act and Frozen Bank Account

19. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the "***Emergencies Act***") in response to the Protests.
20. I have been directly and substantially harmed by the *Emergencies Act* for my

involvement in the Protests.

21. On Friday, February 18, 2022, I attempted to sign into my Scotia Bank account because I had a couple of bills that I needed to pay. When I attempted to sign in and pay these aforementioned bills, I received an error message along the lines of “oops, we’re sorry give us a call” (the “**Error Message**”) with a redirect page containing a phone number to contact. Unfortunately, I did not save a screenshot of the Error Message at the time as I did not think much of it at the time.
22. Later on during the evening of Friday, February 18, 2022, my credit cards on Apple Pay came up as being blocked (the “**Blocked Credit Cards**”).
23. I was unable to pay any of my bills through Apple Pay and the Blocked Credit Cards made me concerned that my bank accounts and credit cards had possibly been seized.
24. The following morning, on Saturday, February 19, 2022, I called the number provided in the Error Message as I was still suspicious about the Blocked Credit Cards. The experience was quite strange as I went through the options provided for on the phone before finally speaking with a banking agent (the “**Agent**”). The Agent appeared very flustered to me, and I was continually put on hold.
25. Eventually, the Agent directed me to a subsequent page on the banking portal. This subsequent page was perplexing to me as it directed me to contact the President of Scotia Bank (the “**Scotia Bank Complaints Page**”). Attached and marked hereto as **Exhibit “D”** to this Affidavit is a copy of the Scotia Bank Complaints Page.
26. I was unable to use my debit card or my credit cards from the evening of February 18th, 2022 until February 22, 2022 (the “**Seized Bank Accounts**”).
27. Unable to use the Seized Bank Accounts, I was left in a very desperate situation and unable to pay any of my bills that were due during this time.
28. I thankfully had enough cash with me to return to New Brunswick from Ottawa.

However, I was required to go around the Highway 30 bridge because the tolls required payment via debit or credit card which I was unable to do. All of my cards connected to the Seized Bank Accounts were completely deactivated.

Irreparable Harm and Lasting Effects

29. My experience with the Seized Bank Accounts has been traumatic and has had a real and substantially negative psychological impact on me.
30. The Seized Bank Accounts and my experiences from this has left me completely terrified and scarred. I broke no law yet the government seized my accounts and froze my hard earned money.
31. I am not a criminal.
32. I am not a terrorist.
33. I am a retired Canadian citizen who honourably served his country. As a military veteran who already had previously been diagnosed with Post Traumatic Stress Disorder due to my experiences in the military, I am now concerned about the mental health effects this is having on me.
34. I am scared and concerned that the federal government will at any moment burst into my house in the middle of the night and take my possessions from me.
35. My wife and I are both very afraid and unable to sleep at night. I feel betrayed, I have always stood up for my country and I have no criminal record. I try to do the right things in my life.
36. I have never felt anything like this in my entire life, and this includes during my active military service.
37. I do not know how I can remain in Canada any longer. I feel as though I am being

painted as some type of terrorist or something which I am absolutely not. I love Canada and the people in this country, and I am devastated by how I have been treated by my own government.

38. I make this affidavit in support of an application under sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and Rule 301 of the *Federal Courts Rules* and for no improper purpose.

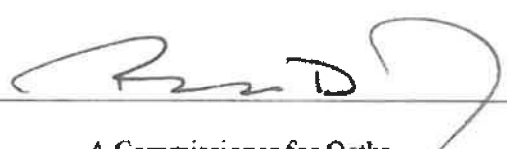
Sworn before me in the [REDACTED] the Province of New Brunswick on February 23, 2022

Commissioner for Taking Affidavits
(or as the case may be)

BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2022

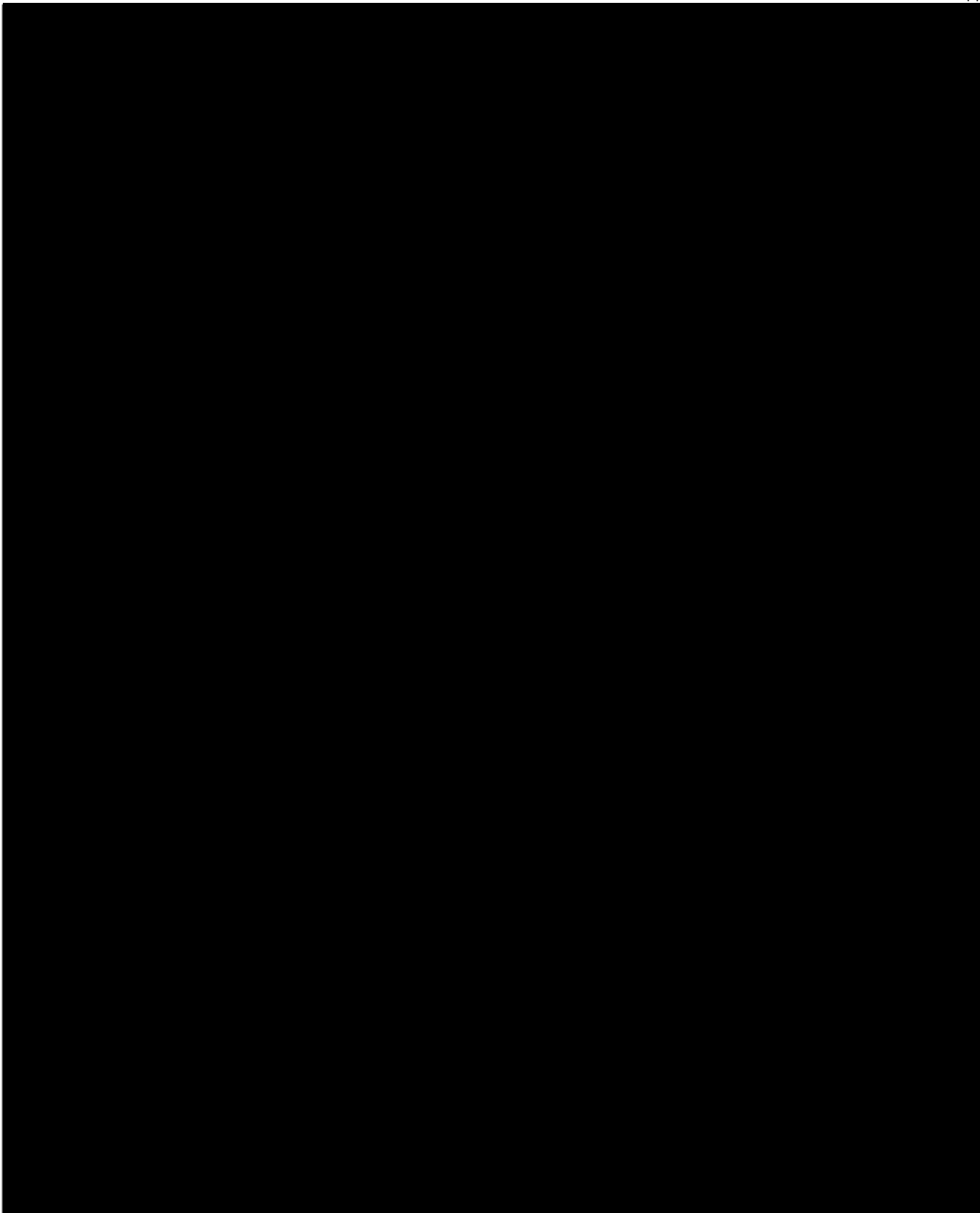
(Signature of Deponent)

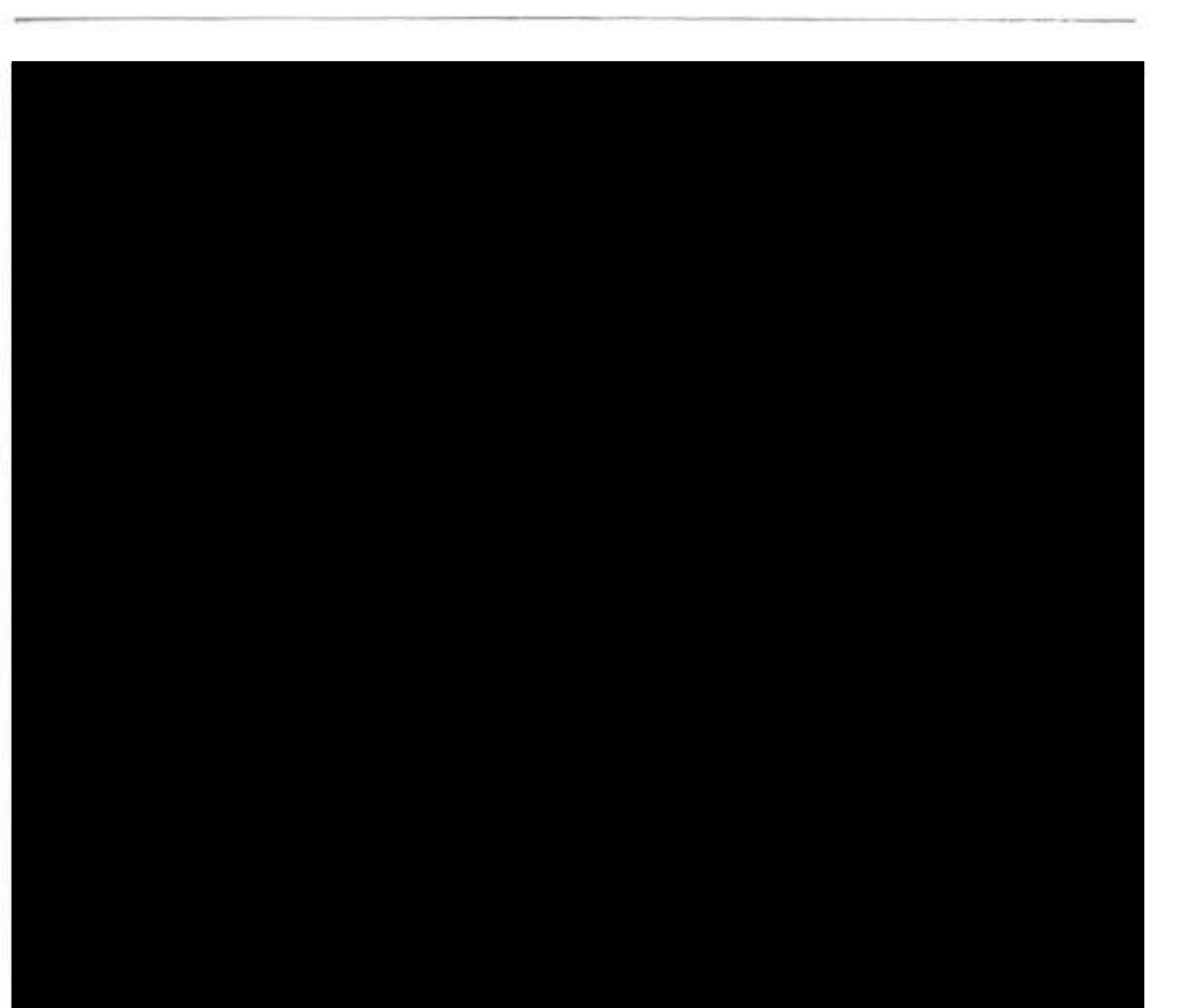
This is Exhibit A to the Affidavit of Edward Cornell
sworn before me at the [REDACTED] in the
Province of N.B., this 22 day of February, 2022.



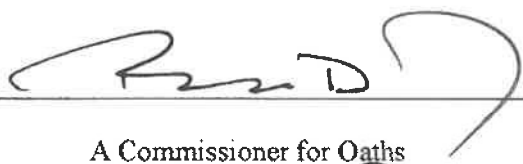
A Commissioner for Oaths
in and for New Brunswick

BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2028





This is **Exhibit B** to the Affidavit of **Edward Cornell**
sworn before me at the [REDACTED] in the
Province of N.B., this 22 day of February, 2022.



A Commissioner for Oaths
in and for New Brunswick

BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2028



Recommandation

BE IT KNOWN that, with the approval of Her Majesty The Queen of Canada, the Governor General the Right Honourable Jeanne Sauvé, P.C., C.C., O.M.M., C.D., has awarded the

SACRIFIZ QUE, avec l'assentiment de Sa Majesté la Reine du Canada, la Gouverneure générale, la très honorable Jeanne Sauvé, C.P., C.C., O.M.M., C.D., a décerné la décoration

MEDAL OF BRAVERY

MÉDAILLE DE LA BRAVOURE

Warrant Officer Edward Glenn Stewart

in recognition of an act of bravery in hazardous circumstances. en reconnaissance d'un acte de bravoure accompli dans des circonstances dangereuses.

CITATION

At approximately 2 p.m., on December 19, 1955, WO Edward Stewart was carrying out duties at the Canadian Contingent base camp in Lemaitre, Guyana, when he heard cries for help coming from the water's edge. Immediately, he rushed to the scene and saw stranded in the water a member of the Canadian Corps. The man, who was suffering from a severe case of hypothermia, was unable to hold onto the shore and was being carried away by the water. Stewart, who was standing nearby, immediately jumped into the water and swam steadily towards the man, battling the rough waters and a strong current. In an effort to save the man, Stewart quickly exhausted himself in a desperate attempt to stay above water. When he reached the man, he quickly managed to calm him down and keep his afloat. He then started the man's chest and hauled him to safety. WO Stewart's prompt action and physical courage saved the man's life.

GIVEN at Rideau Hall, Ottawa, this twentieth day of June, 1957

FAIT à Rideau Hall, Ottawa, ce quinzième jour de Juin 1957

BY Command,

PAR ordre,

Secretary to the Governor General
[Signature]
Secrétaire du Gouverneur général

*Feb 23, 1957
The document is
for the
Dr. R. [Signature]*

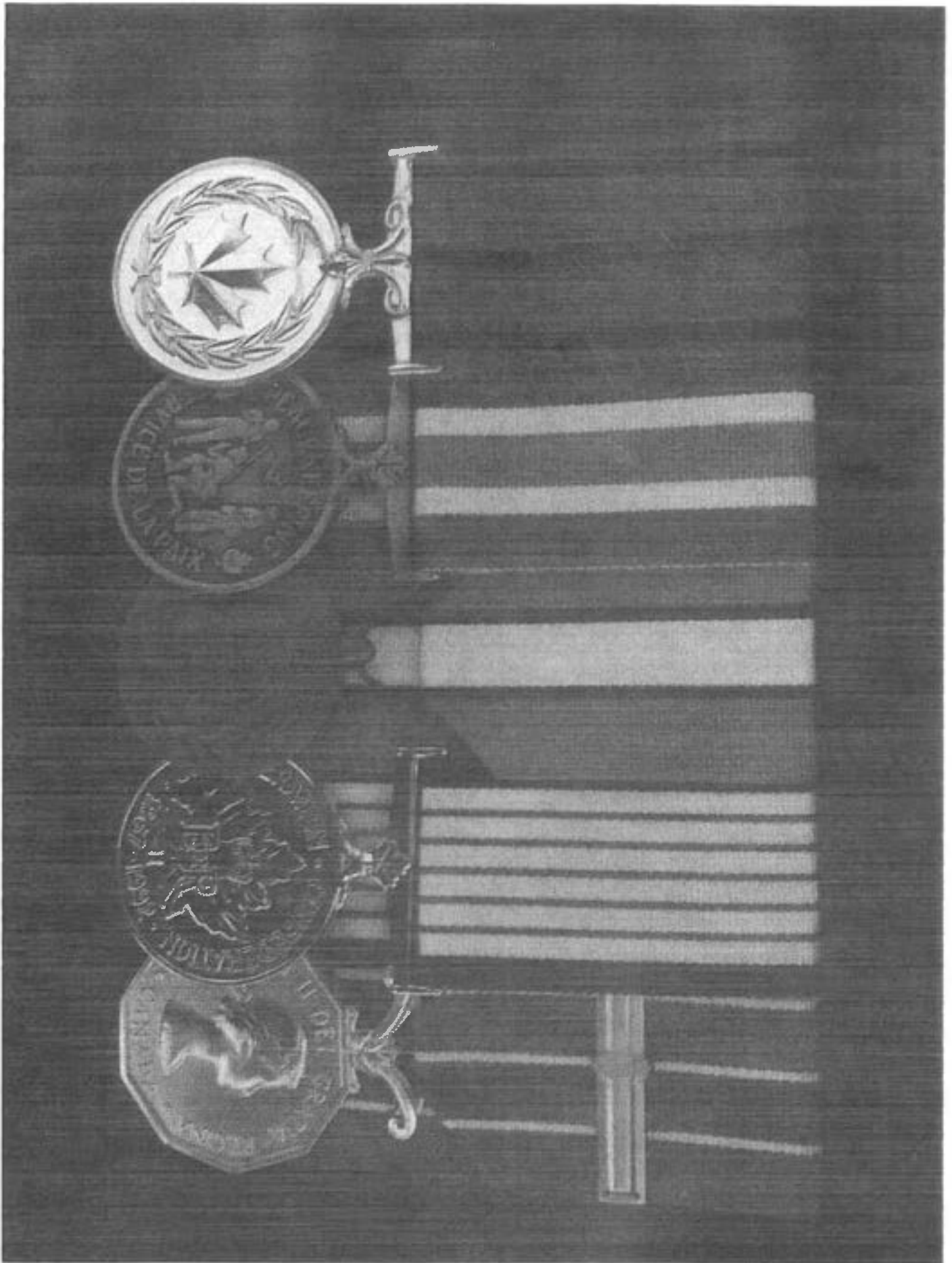
BRIAN D. HARKINETT
Commissioner of Customs
My Commission Expires
31st December 1958

This is Exhibit C to the Affidavit of Edward Cornell
sworn before me at the [redacted] in the
Province of N.B., this 12 day of February, 2022.



A Commissioner for Oaths
in and for New Brunswick

BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2028



over



This is **Exhibit D** to the Affidavit of **Edward Cornell**
sworn before me at the [redacted] in the
Province of N.B., this 23 day of February, 2022.

*Feb 23, 2022
I certify
true*

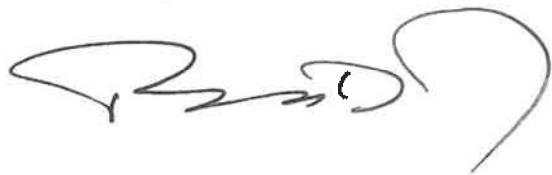
Brian D. Harknett

BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2028

A Commissioner for Oaths
in and for New Brunswick

Feb 23, 2023

I certify this document to be a
true copy of the original



BRIAN D. HARKNETT
Commissioner of Oaths
My Commission Expires
31st December 2028



scotiabank.com

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How to Resolve Your Complaints

Step One:

Talk to us at your Branch or Customer Contact Centre 1800-4SCOTIA or 1-800-472-6842.

If the person you speak to at the branch/customer contact centre is not able to resolve your concern to your satisfaction, please speak directly to a management officer, who has the authority to resolve the majority of problems that arise

Step Two:

Contact the **Office of the President.**

If the management officer has been unable to resolve your complaint satisfactorily, a representative of the President & CEO will be pleased to assist you.



E-mail

mail.president@scotiabank.com



Mail

The President, Scotiabank
44 King Street West Toronto,
ON M5H 1H1

Useful Links

- [Customer Information](#)
- [Centre for frequently requested brochures](#)
- [Customer Care](#)

*Feb 23, 2022
 I've provided this document to be
 signed
 A
 [Signature]*

BRIAN D. HARRIS
 Chairman of the Board
 My Commitment to
 Great Decisions