

Court File No.: T-382-22

FEDERAL COURT

BETWEEN:

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

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, ATTORNEY
GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS

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 JEREMIAH JOST**

I, JEREMIAH JOST, a general contractor, and volunteer firefighter [REDACTED]
in the Province of Alberta, 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 28 years old.
3. I am a general contractor and volunteer firefighter.
4. I have no criminal record.

Involvement with the "Freedom Convoy"

5. I first became involved with the so called "Freedom Convoy" on January 24, 2022 when my wife and I left our home in [REDACTED] to join the west convoy from Alberta (the "West

Convoy") to protest against what we believe to be government overreach and a loss of our civil liberties.

6. On January 25, 2022, we caught up to the West Convoy and followed them to Arnprior which is just outside of Ottawa, Ontario.
7. My wife and I arrived in Ottawa on the morning on January 29, 2022, just ahead of the West Convoy to attend the Freedom Convoy protests in Ottawa (the "**Protests**").
8. While we were in Ottawa, we drove to Saint Laurent Boulevard and took the O-Train from there to Parliament Hill. We attended the Protests everyday with the exception of two days until February 18, 2022.
9. On January 29, 2022, I had heard reports in the national media that the Terry Fox Monument (the "**Monument**") had been defaced and vandalized (the "**Alleged Defacing**"). I did not witness or see any of the Alleged Defacing at the Terry Fox Monument.
10. On January 30, 2022, my wife and I cleaned the snow and calcium deposits around the Monument. We brought flowers and held a sign that read "We Love You Terry" (the "**Sign**") for parts of the next 3 days to ensure no false rumours about the Alleged Defacing occurred. Attached and marked hereto as **Exhibit "A"** to this Affidavit is a copy of a picture of myself holding the Sign next to the Monument.
11. I personally witnessed Canadians from all walks of life and backgrounds at the Protests. I witnessed many Western Canadians and people from Quebec protesting together side by side, united in love for our country and united in our shared concerns for our civil rights in our country.
12. It is my belief that that Protests had lots of people who were vaccinated against Covid-19. It was not what I would describe as an anti-vaccine protest or anti-government rally.

In my own interactions with people in attendance at the Protests, the number one reason that most people who I had conversations with stated to me that they were there to get their civil and constitutional rights back.

13. I would describe the Protests as beautiful, diverse, and inclusive to all. Food and other donations were made readily available to all in attendance (the "**Food Stands**"). Attached and marked hereto as **Exhibit "B"** to this Affidavit is a copy of two pictures that I took of the Food Stands.
14. I have saved several other pictures and videos that I took of the Food Stands.
15. I further describe the Protests as being a family friendly atmosphere throughout akin to a carnival. Attached and marked hereto as **Exhibit "C"** to this Affidavit is a photograph I took of children playing at the Protests.
16. Attached and marked hereto as **Exhibit "D"** to this Affidavit is a video that I took of a play area for children at the Protests which included bouncy castles.
17. I have saved several other pictures and videos that I took of the areas that children were playing in.
18. My wife and I experienced so much joy and camaraderie during this time at the Protests. We played street hockey, we enjoyed the donated food, and we attended many dance parties. It was one of the best times of my life until February 18, 2022.

Ottawa "Blockades"

19. I was present in Ottawa, Ontario, from January 29, 2022, to February 18, 2022. Now shown to me is a copy of the map made by Global News entitled, "Trucker Convoy Encampments in Ottawa" (the "**Global News Map**") which shows where the Protests, protestors, and observers were. Attached and marked hereto as **Exhibit "E"** to this Affidavit is a copy of the Global News Map.

20. I can confirm that Exhibit "E" is a true and accurate depiction to the best of my knowledge in showing where the Protests, protestors, and observers were.
21. The illustration of a red line on Wellington Street in Exhibit "E" showing a "blockade" of that street is accurate. There were trucks and vehicles parked on Wellington Street which prevented other motor vehicles from driving down Wellington Street. However, an emergency lane was open the entire time on Wellington Street. I personally witnessed multiple police vehicles and other black SUVs with tinted windows drive through the open emergency lane on Wellington Street.
22. The other two areas marked on Exhibit "E" being 200 Coventry Road and 1500 Bronson Avenue were not "blockades". They were instead protestors and observers camping near a road, and in a parking lot.
23. I have drawn a map with my own markings for where I observed the truckers at the Protests to be. They are marked with blue lines on the map (the "**Marked Apple Map**"). Attached and marked hereto as **Exhibit "F"** is a copy of the Marked Apple Map.

Canadian and United States of America Border

24. It is a known fact that Canada and the United States of America (the "**USA**") share the largest unguarded border in the world.
25. It has always been my understanding and belief, that to cross the border between Canada and the USA legally, a person must do so at the proper points of entry and departure.
26. It has also always been my understanding that it is the Canadian Border Services Agency ("**CBSA**") that regulates the points of entry and departure by motor vehicle on land. Now shown to me is a true copy of the list of all CBSA points of entry and departure by motor vehicle on land obtained from the CBSA website (the "**CBSA**

Points of Entry and Departure"). Attached and marked hereto as **Exhibit "G"** to this Affidavit is a copy of the CBSA Points of Entry and Departure.

27. From a review of the list at Exhibit "G", it appears that the CBSA had well over 100 points of entry and departure by motor vehicle on land along the border with Canada and the USA, this does not include any points of entry or departure along the border with Alaska.
28. Of the over 100 points of entry and departure by motor vehicle on land along the border with Canada and the USA, it is my understanding and belief that there were at one time or another "blockades" at the following:
 - a. Coutts, Alberta;
 - b. Emerson, Manitoba; and
 - c. Windsor, Ontario (the Ambassador Bridge).
29. Based on the list at Exhibit "G" herein:
 - a. Alberta has a total of six points of entry and departure by motor vehicle on land along the border with Canada and the USA. Coutts, Alberta, is one of the six.
 - b. Manitoba has a total of sixteen points of entry and departure by motor vehicle on land along the border with Canada and the USA. Emerson, Manitoba is one of those sixteen.
 - c. Ontario has a total of fourteen points of entry and departure by motor vehicle on land along the border with Canada and the USA. Windsor, Ontario (Ambassador Bridge) is one of those fourteen.
30. The CBSA website has an interactive map of all points of entry and departure by motor vehicle on land along the border with Canada and the USA. As such, interactive maps include all points of entry and departure by motor vehicle on land along the border with Canada and the USA in the provinces of Alberta, Manitoba, and Ontario (the **"Interactive Map of Canada"**). Attached and marked hereto as **Exhibit "H"** to this

Affidavit is a copy of the snippets of Alberta, Manitoba and Ontario from the CBSA Interactive Map of Canada.

Emergencies Act

31. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked by the Declaration of the Governor-in-Council the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the "**Emergencies Act**") in response to the Protests ("**Valentine's Day Declaration**").
32. I have been directly and substantially harmed by the *Emergencies Act* for my involvement in the Protests.
33. Prior to the Valentine's Day Declaration, I would describe my own interactions with the police as being cordial and friendly. Being a volunteer firefighter in my local community, I have worked with and maintained good relationships with my local RCMP.
34. I generally am comfortable engaging in friendly conversations with law enforcement officers. I spoke with many officers at the Protests with insignias on their shoulders who were often from Peel County or the Toronto Police Service.
35. On several occasions prior to the Valentine's Day Declaration, we witnessed the police being thanked for their service and protecting us during the peaceful protests. I even shared a joyous moment of civic pride with a group of police officers where they held up a Canadian flag with myself (the "**Canadian Flag Picture**"). Attached and marked hereto as **Exhibit "I"** is a copy of the Canadian Flag Picture.
36. Protestors and observers began receiving notices from who I believe to have been the Ottawa police on February 16th and 17th, 2022, declaring that participating in the Protests was now illegal and that a person could be charged with criminal activity.
37. To the best of my recollection, the notices threatened protestors and observers by

stating that, "Charges and/or convictions related to unlawful activity associated with the demonstrations may lead to denial in crossing the USA border" (the "**Police Threats**").

38. Public transportation was easy throughout Ottawa until the Valentine's Day Declaration and the Police Threats were made.
39. The last day that my wife and I went to the Protests was on February 18, 2022.
40. It was my observation and experience that on February 18, 2022, all the exits leading anywhere near downtown Ottawa were blocked off on highway 417. The police had set up check points on what I believe to be every street entering downtown Ottawa to prohibit anyone from joining the Protests (the "**Police Blockades**").
41. On February 18, 2022, my wife and I took two trains and a bus to get to the Pimisi station in Ottawa and walked the remainder of the way. Along the way, we assisted an older lady carrying her luggage from Pimisi to get to her hotel that she had reserved in downtown Ottawa (the "**Luggage Assistance**"). It was through the Luggage Assistance that enabled us to pass through the Police Blockades which included two checkpoints with her.
42. Once we reached downtown Ottawa on February 18, 2022, we walked down Wellington Street, over the Rideau Canal and to the intersection of Mackenzie Avenue and Rideau Street where observed several hundred police officers forming, most of them in what I would describe as riot gear (the "**Tactical Police Units**").
43. I personally observed the Tactical Police Units forming a human line with riot gear, gas masks, tasers, batons, pepper spray, flash grenades, rifles, and horses.
44. I further observed what I believe to be snipers with rifles on several rooftops surrounding us.

45. I also further observed the Tactical Police Units filming the protestors and observers with cameras approximately 3-4 feet above the heads of the officers in Tactical Police Units.
46. The scene that I observed on February 18, 2022, was very intimidating and unjustified given the peaceful nature of the Protests, protestors, and observers.
47. I personally observed and watched as several protestors and observers were pleading with the Tactical Police Units with tears rolling down their face. They were pleading for the Tactical Police Units to uphold the oaths they took to serve and protect along with upholding our rights to peaceful assembly (the "**Pleas**").
48. The Pleas went ignored and rather than the Tactical Police Units de-escalating the situation, they brought in horses who trampled on protestors and observers which I was personally present for and recorded a video of. (the "**Horse Trampling Video**"). Attached and marked hereto to this Affidavit as **Exhibit "J"** is a copy of the Horse Trampling Video that I recorded.
49. What I witnessed in the Horse Trampling Video is traumatizing and concerning for myself given that I was in attendance nearly every day at the Protests except for two days from January 29, 2022, to February 18, 2022, and they were entirely peaceful.
50. I have drawn a map with my own markings for where I observed the horses trampling on protestors and observers. I have marked with blue, black, and red lines on the map the location of the horse trampling (the "**Marked Horse Trampling Map**"). Attached and marked hereto as **Exhibit "K"** is a copy of the Marked Horse Trampling Map.
51. On February 18, 2022, the Tactical Police Units shoved me and pulled at my coat ripping it.
52. I further observed the Tactical Police Units grabbing random protestors and observers.

After they grabbed them they would pull them through their human wall line where I witnessed the Tactical Police Units beat, knee, and strike them with the butt end of their rifles while these protestors and observers were face down in the snow (the “**Police Beatings**”).

53. Despite the Police Beatings, I did not witness any protestors or observers fight back, they only attempt to stand their ground. However, the Tactical Police Units numbered in the several hundreds and slowly pushed the crowd all the way back to Wellington Street.
54. Once the Tactical Police Units had surrounded the vehicles around the intersections on Wellington Street, I personally observed them smash vehicle windows with crow bars and rip people out of their trucks.
55. The entire scene that I witnessed on February 18, 2022, was terrifying and excessive. The Tactical Police Units showed no regard or care for the people they were hurting.
56. My wife and I left shortly afterwards with tears in our eyes at what we had just witnessed happening to peaceful protestors.
57. I did not return to the Protests after that and my right to peacefully assemble and express my constitutional rights to oppose federal government policies in a peaceful manner have been taken from me.
58. I still live in fear, but I know that I must stand up and speak the truth about what happened as this should not have happened. I believe that the Tactical Police Units were not there to remove protestors and observers, rather they were there to hurt and punish people who supported the Freedom Convoy and what it stood for.
59. It's my belief that my rights and the constitutional rights of others were violated in a way that I thought unimaginable in Canada. My right to protest and peacefully

assemble is not “illegal” and I am not an enemy of the state.

60. My sole hope in providing the Court with this Affidavit is so that this does not happen to peaceful protestors in Canada ever again.
61. 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 City of Calgary in the Province of Alberta on March 9th 2022.

Bath-Sheba van den Berg
 Commissioner for Taking Affidavits
 (or as the case may be)

BATH-SHÉBA VAN DEN BERG
 Student-at-Law
 Notary Public
 A Commissioner for Oaths
 In and for the Province of Alberta

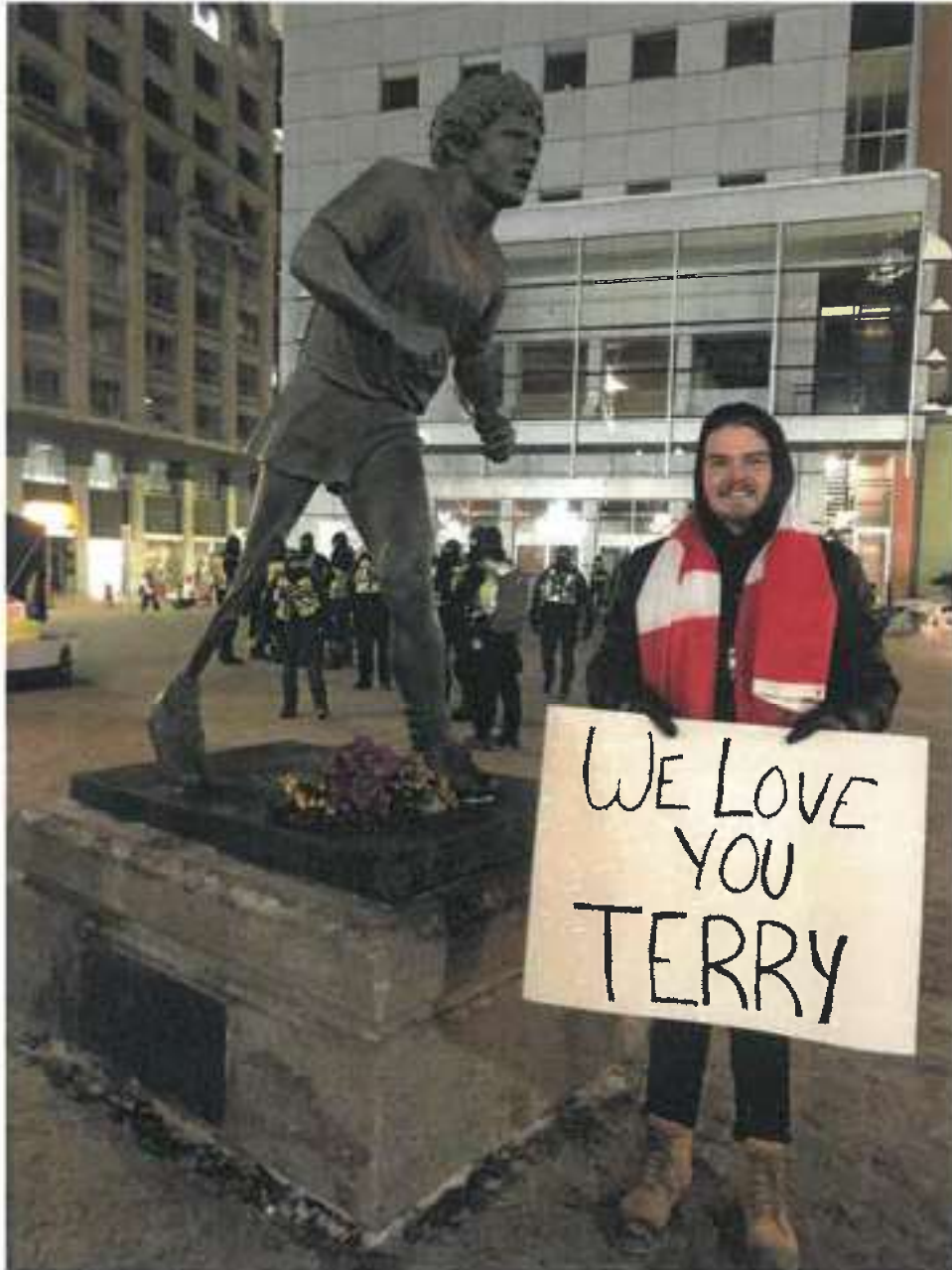
Jeremiah Jost
 (Signature of Deponent)
 Jeremiah Jost

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Notary Public
A Commissioner for Oaths
In and for the Province of Alberta

THIS IS EXHIBIT "A" REFERRED TO
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Commissioner of Oaths for the Province of Alberta



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A Commissioner for Oaths
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EXHIBIT D – Video

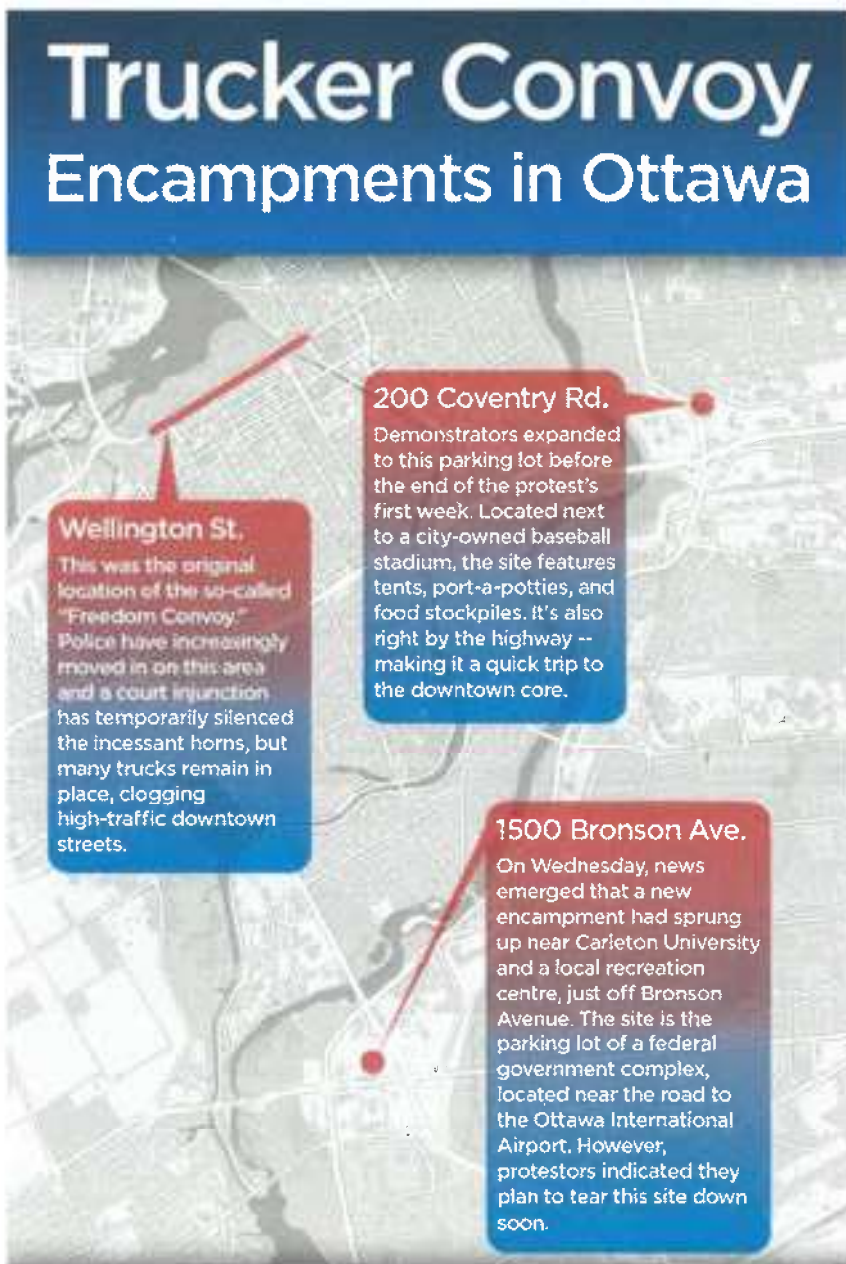
See attached USB Stick

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TRUCKS

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Highway/Land Border Office (HWY/B)

⚠ COVID-19 notice: Temporary change to open ports of entry

The CBSA has implemented temporary service changes that will remain in effect until further notice. The CBSA regularly reviews its operations and adjustments are made when necessary. Please consult our list of [open ports of entry](#) for more information.

A CBSA highway port of entry for the processing of travellers, crew and/or for the reporting and clearing of commercial goods.

Keyboard users: Use the arrow keys to move the map and use plus and minus to zoom.

📍 Green circles indicate groups of offices, or groups of red pins. The number in the circle indicates how many offices or red pins are in the group. Zoom in to make the offices or red pins appear in order to select one.

A red pin indicates a CBSA office. Select the red pins you are interested in viewing. Information about this location will appear on the map.

List of Offices

Filter items Showing 1 to 100 of 117 entries Show entriesName Province [Abbotsford-Huntingdon](#)

British Columbia

[Abercorn](#)

Quebec

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Alberta





[Aldergrove](#)





British Columbia





[Ambassador Bridge](#)





Ontario

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Name  	Province  
<u>Andover</u>	New Brunswick
<u>Armstrong</u>	Quebec
<u>Beaver Creek</u>	Yukon
<u>Bloomfield</u>	New Brunswick
<u>Boissevain</u>	Manitoba
<u>Boundary Bay</u>	British Columbia
<u>Campobello</u>	New Brunswick
<u>Carievale</u>	Saskatchewan
<u>Carson</u>	British Columbia
<u>Cartwright</u>	Manitoba
<u>Carway</u>	Alberta
<u>Cascade</u>	British Columbia
<u>Centreville</u>	New Brunswick
<u>Chartierville</u>	Quebec
<u>Chief Mountain</u>	Alberta
<u>Chopaka</u>	British Columbia
<u>Clair</u>	New Brunswick
<u>Clarenceville</u>	Quebec
<u>Climax</u>	Saskatchewan
<u>Cornwall Traffic Office</u>	Ontario
<u>Coronach</u>	Saskatchewan
<u>Coulter</u>	Manitoba
<u>Coutts</u>	Alberta

Name  	Province  
Covey Hill	Quebec
Crystal City	Manitoba
Del Bonita	Alberta
Douglas	British Columbia
Dundee	Quebec
East Hereford	Quebec
East Pinnacle	Quebec
Edmundston	New Brunswick
Emerson	Manitoba
Estevan Highway	Saskatchewan
Forest City	New Brunswick
Fort Erie (Peace Bridge)	Ontario
Fort Frances Bridge	Ontario
Fosterville	New Brunswick
Four Falls	New Brunswick
Fraser	British Columbia
Frelighsburg	Quebec
Gillespie Portage	New Brunswick
Glen Sutton	Quebec
Goodlands	Manitoba
Grand Falls	New Brunswick
Gretna	Manitoba
Hemmingford	Quebec

Name  	Province  
Herdman	Quebec
Hereford Road	Quebec
Highwater	Quebec
Kingsgate	British Columbia
Lacolle: Route 221	Quebec
Lacolle: Route 223	Quebec
Lansdowne (Thousand Islands Bridge)	Ontario
Lena	Manitoba
Little Gold Creek	Yukon
Lyleton	Manitoba
Midway	British Columbia
Milltown	New Brunswick
Monchy	Saskatchewan
Morses Line	Quebec
Nelway	British Columbia
Niagara Falls Rainbow Bridge(Travellers only)	Ontario
Niagara Falls Whirlpool Bridge (NEXUS members only)	Ontario
North Portal	Saskatchewan
Northgate	Saskatchewan
Noyan	Quebec
Osoyoos	British Columbia
Oungre	Saskatchewan
Pacific Highway	British Columbia

Name  	Province  
<u>Paterson</u>	British Columbia
<u>Pigeon River</u>	Ontario
<u>Piney</u>	Manitoba
<u>Pleasant Camp</u>	British Columbia
<u>Pohenegamook</u>	Quebec
<u>Prescott</u>	Ontario
<u>Queenston Lewiston Bridge (Travellers and Commercial)</u>	Ontario
<u>Rainy River</u>	Ontario
<u>Regway</u>	Saskatchewan
<u>River de Chute</u>	New Brunswick
<u>Roosville</u>	British Columbia
<u>Rykerts</u>	British Columbia
<u>Sarnia (Blue Water Bridge)</u>	Ontario
<u>Sault Ste. Marie Bridge</u>	Ontario
<u>Snowflake</u>	Manitoba
<u>South Junction</u>	Manitoba
<u>Sprague</u>	Manitoba
<u>St-Armand/Philipsburg</u>	Quebec
<u>St-Bernard-de-Lacolle: Highway 15</u>	Quebec
<u>St-Just-de-Bretenieres</u>	Quebec
<u>St-Pamphile</u>	Quebec
<u>St. Croix</u>	New Brunswick
<u>St. Leonard</u>	New Brunswick

Name  

Province  

St. Stephen (Ferry Point Bridge)

New Brunswick

St. Stephen 3rd Bridge

New Brunswick

Stanhope

Quebec

1 2 Next →

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Canada Border Services Agency

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Highway/Land Border Office (HWY/B)

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List of Offices

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Showing 101 to 117 of 117 entries

Show entries

Name	Province
<u>Stanstead (55)</u>	Quebec
<u>Stanstead (Beebe)</u>	Quebec
<u>Stanstead (Rte 143)</u>	Quebec
<u>Ste-Aurélie</u>	Quebec
<u>Stewart</u>	British Columbia

Name  	Province  
Tolstoi	Manitoba
Torquay	Saskatchewan
Trout River	Quebec
Waneta	British Columbia
West Poplar River	Saskatchewan
Wild Horse	Alberta
Willow Creek	Saskatchewan
Windsor-Detroit Tunnel	Ontario
Windygates	Manitoba
Winkler	Manitoba
Woburn	Quebec
Woodstock Road	New Brunswick

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1

2

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 Bissett Indian Reservation





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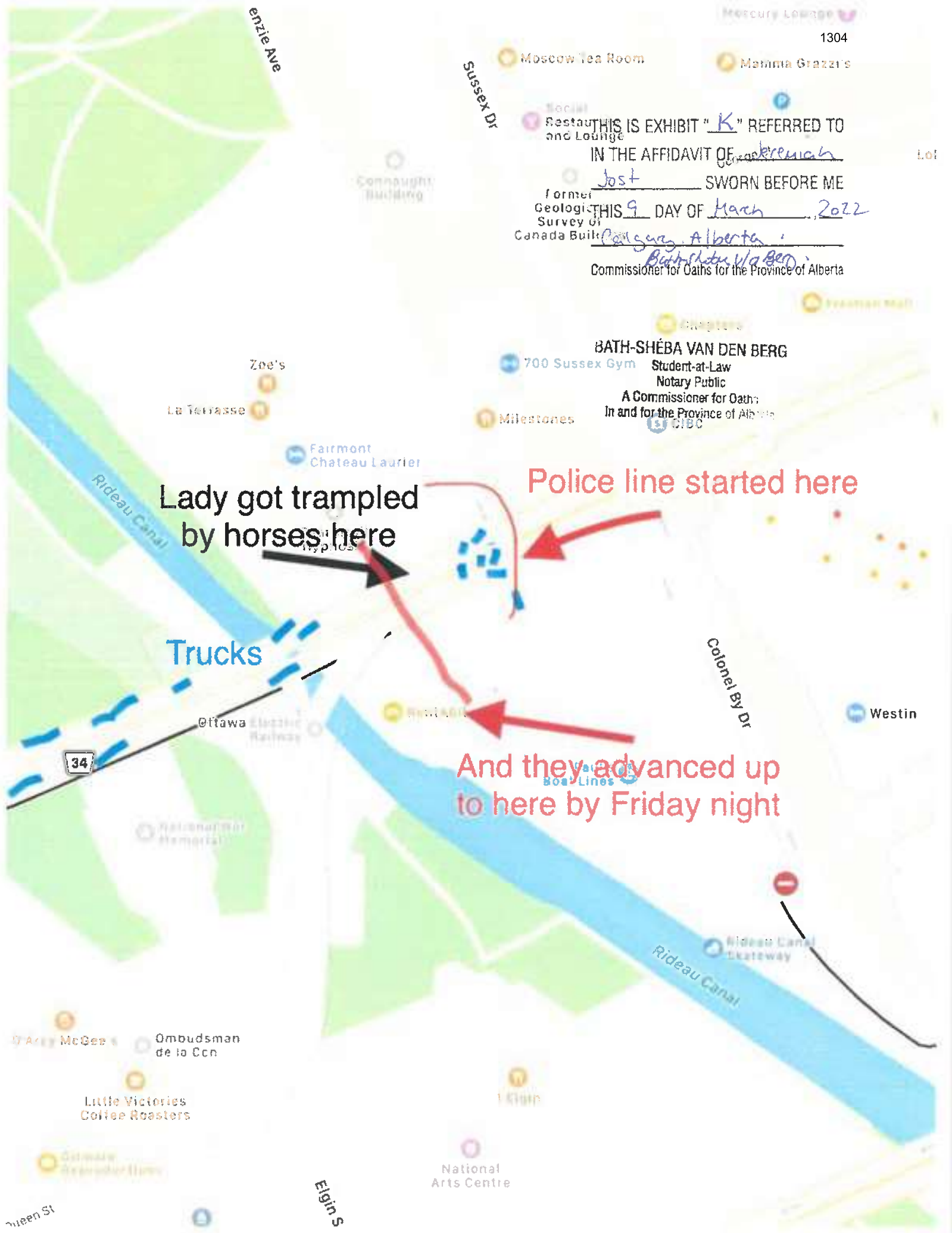


EXHIBIT J

See attached USB Stick

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Lady got trampled by horses here

Police line started here

And they advanced up to here by Friday night

Trucks

THIS IS EXHIBIT "K" REFERRED TO IN THE AFFIDAVIT OF Mr. Kreniak Just SWORN BEFORE ME THIS 9 DAY OF March, 2022 Calgary, Alberta Bathshéba Van Den Berg Commissioner for Oaths for the Province of Alberta

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34

Ottawa

Colonel By Dr

Westin

Rideau Canal Skateway

Ombudsman de la Ccn

Little Victories Coffee Roasters

National Arts Centre

Elgin S

Green St