



No. S-12 08 40

Vancouver Registry

In the Supreme Court of British Columbia

IN THE MATTER OF THE *JUDICIAL REVIEW PROCEDURE ACT*
R.S.B.C. 1996, C. 241

AND

Brought under the *CLASS PROCEEDINGS ACT*
RSBC 1996 C. 50

Between

IAN ROBB FORGIE

Petitioner

And

HER MAJESTY THE QUEEN IN RIGHT OF
THE PROVINCE OF BRITISH COLUMBIA

Respondent(s)

PETITION TO THE COURT

"Nulli vendemus, nulli negabimus aut differemus rectum aut justiciam.

To no one will we sell, to no one will we refuse or delay, right or justice." *Magna Carta*

The Petitioner reserve the right to serve this petition on those creditors, shareholders or other interested parties of the Petitioners, and each of them, outside British Columbia pursuant to Rule 4-5(1) and 4-5(2) of the *Supreme Court Civil Rules* and section 10(h) of the *Court Jurisdiction and Proceedings Transfer Act*. On the ground that application of the *Law and Equity Act* section 1 and 2 has the force of law in British Columbia, and that the *Court Order Enforcement Act* Part 4 section 42, the convention is in force in British Columbia and the provisions of the convention are law in British Columbia. *Soit droit fait al partie*. Let right be done to the party.

This proceeding has been started by the Petitioners for the relief set out in Part 1 below.

ON NOTICE TO:

PETITION Respondent(s)

Elizabeth the Second, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith. Her Heir(s) and Successor(s). The Attorney General for the Province of British Columbia and Her Majesty's loyal sworn Officer(s).

Attorney General for the Province of British Columbia

Court Rules Act

SUPREME COURT CIVIL RULES

Rule 4-3 — Personal Service How to serve documents by personal service

- (2) Unless the court otherwise orders, personal service of a document is to be effected as follows: (h) on the Attorney General, in accordance with subrule (6).

Service on Attorney General

- (6) A document to be served on the Attorney General must be served at the Ministry of Attorney General in the City of Victoria, and is sufficiently served if it is left during office hours with any lawyer on the staff of the Attorney General at Victoria or mailed by registered mail to the Deputy Attorney General at Victoria.

Deputy Attorney General
P.O. Box 9280 Stn Prov Govt
Victoria, B.C.
V8W 9J7

This proceeding has been started by the petitioner(s) for the relief set out in Part 1 below.

If you intend to respond to this petition, you or your lawyer must

(a) file a response to petition in Form 67 in the above-named registry of this court within the time for response to petition described below, and

(b) serve on the petitioner(s)

(i) 2 copies of the filed response to petition, and

(ii) 2 copies of each filed affidavit on which you intend to rely at the hearing.

Orders, including orders granting the relief claimed, may be made against you, without any further notice to you, if you fail to file the response to petition within the time for response.

Time for response to petition

A response to petition must be filed and served on the petitioner(s),

(a) if you were served with the petition anywhere in Canada, within 21 days after that service,

(b) if you were served with the petition anywhere in the United States of America, within 35 days after that service,

(c) if you were served with the petition anywhere else, within 49 days after that service, or

(d) if the time for response has been set by order of the court, within that time.

(1)	<p>The address of the registry is:</p> <p>Vancouver Registry The Law Courts 800 Smithe Street Vancouver British Columbia V6Z 2E1</p>
(2)	<p>The ADDRESS FOR SERVICE of the petitioner(s) is</p> <p>C/O 5522 The Store Room 1396 Richards Street Vancouver British Columbia V6B 3G6</p> <p>Fax number address for service (if any) of the petitioner: NONE</p> <p>E-mail address for service (if any) of the petitioner: iforgie@yahoo.com</p>
(3)	<p>The name and office address of the petitioner's(s) lawyer is:</p>

Claim of the Petitioner

The Petitioners claim the right to serve this Petition on any interested party on the grounds that the proceedings concern an action on an unconditional obligation on a payment on a specific sum of money, against a party who has been discharged as a Bankruptcy under the act of Parliament: *Bankruptcy and Insolvency Act* [R.S., 1985, c. B-3] 134. "Subject to section 130, a creditor shall in no case receive more than one hundred cents on the dollar and interest as provided by this Act". [R.S., c. B-3, s. 105.] "ADMISSION AND

DISALLOWANCE OF PROOFS OF CLAIM AND PROOFS OF SECURITY

Trustee shall examine proof 135. (1). Determination of provable claims (1.1).

Disallowance by trustee (2),(a) any claim;(b) any right to a priority under the applicable order of priority set out in this Act; or (c). Notice of determination or disallowance (3) (1.1) or, (2),(1.1) (2),. Determination or disallowance final and conclusive (4) (1.1) or (2) (3) or. Expunge or reduce a proof (5).[R.S., 1985, c. B-3, s.

135; 1992, c. 1, s. 20, c. 27, s. 53; 1997, c. 12, s. 89.] Priority of claims 136. (1) Subject to

the rights of secured creditors, the proceeds realized from the property of a bankrupt shall be applied in priority of payment as follows: (a);(b), (i) 14.03(1)(a), (ii), and(iii); (c) 147;(d); (d.01) 81.3 and 81.4 and; (d.02) 81.5 and 81.6 creditor; (d.1) or 178(1)(b) or (c), if 121(4); (e);(f); (g) 70(2) but; (h) in the case of a

bankrupt who became bankrupt before the prescribed date, all indebtedness of the bankrupt under any respecting workers,, compensation, under any respectin or under any provision of the Income Tax creating an obligation to pay to Her Majesty amounts that have been deducted or withheld, rateably; (i) claims resulting from injuries to employees of the bankrupt in respect of which the provisions of any respecting workers,, compensation do not apply, but only to the extent of moneys received from persons guaranteeing the bankrupt against damages resulting from those injuries; (j) in the case of a bankrupt who became bankrupt before the prescribed date, claims of the Crown not mentioned in paragraphs (a) to (j), in right of Canada or any province, rateably

notwithstanding any statutory preference to the contrary. Payment as funds available (2) Subject to the retention of such sums as may be necessary for the costs of administration or otherwise, payment in accordance with subsection (1) shall be made as soon as funds are available for the purpose. Balance of claim (3)

A creditor whose rights are restricted by this section is entitled to rank as an unsecured creditor for any balance of claim due him. " [R.S., 1985, c. B-3, s. 136; 1992, c. 1, s. 143(E), c. 27, s. 54; 1997, c. 12, s. 90; 2001, c. 4, s. 31; 2004, c. 25, s. 70] The discharge is impleaded by fraud, ACCEPT AS SCRIPT *In re* Held: A. G. 375 V. Docket no. 0170405748 May 29, 1974 A.D. [R.S., c. 469, s. 1.] [R.S.C., 1985, c. C-10] [Canada Post Corporation Act R.S.C., 1985, c. C-10] File Reference Number 79 588 369 383 VICTORIA REGISTRY City of Victoria Location: 850 Burdett Avenue, Victoria, BC PROISSORY NOTE RW 646 568 681 CA. LOCATION: Supreme Court of the United States, 1 First Street, NE, Washington, DC 20543.

Telephone: 202-479-3000. TTY: 202-479-3472 (Available M-F 9 a.m. to 5 p.m. eastern) ©® See -U.S.C. TITLE 28, PART IV, CHAPTER 81, § 1251 ©® Rule1.

United State Code > TITLE 43 > CHAPTER 1 > § 13. Original papers on file as evidence, that all corporations, persons, the Crown, governments, principals, employees, agents and justice system participants were placed on notice under Authority of the Supremacy and Equal Protection Clauses of the United States Constitution and the Common Law Authorities: *Haines v Kerner*, 404 U.S. 519, *Platsky v. C.I.A.* 953 F.2d. 25, and *Anastasoff v. United States*, 223 F.3d 898 (8th Cir. 2000) relying on *Willy v. Coastal Corp.*, 503 U.S. 131, 135 (1992), *United States v. International Business Machines Corp.*, 517 U.S. 843, 856 (1996), quoting *Payne v. Tennessee*, 501 U.S. 808, 842 (1991) (Souter, J., concurring). *Trinsey v. Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647, *American Red Cross v. Community Blood Center of the Ozarks*, 257 F.3d 859 (8th Cir. 07/25/2001). Confirmation Code: [R.S.C., 1985, c. C-10] *Canada Post Corporation Act* [R.S.C., 1985, c. C-10] Respondant(s) Registered Domestic. Evidence Date: *Time Definition Act*. [R.S., c. 469, s. 1.] Writs executed and sealed by the voluntary act of my own hand, 4th day of January 2010, without the United States ©© Library of Congress file reference number 79 384 304 293. "It may be mentioned as a part of the history of this case that it was taken up on another point that the demurrer to this plea was filed in order to have the law settled, and that since that time it has been considered as settled that the plea of non assumpsit to a declaration in action of assumpsit founded on a promissory note was a good plea. This is an action commenced by summons and petition founded on a promissory note on which an action of assumpsit should have well been commenced, and had it been so commenced there is no reason why the plea of non assumpsit should have been filed. In the case of *Fenton v. Williams* (see 3rd vol. Mo. decisions. p.228) this court says "The act of the legislature authorizes the plaintiff to sue by this proceeding for a debt technically so called: also for anything, which must otherwise be sued for in case or assumpsit." if the thing to be sued for be in debt, we see no reason why the writ should not be in debt. If the injury lie in assumpsit. In that case the court concludes that the form of writ best adapted to the nature of the complaint might well have been observed an action of assumpsit might well have been brought on the promissory note here sued on by summons and petition: according then to the rule laid down with regard to writs by this court in the case of *Fenton v. Williams* the defendant might well plead non assumpsit, it against him as any other plea. We are therefore of the opinion that the circuit court erred in rejection the plea of non assumpsit. The plaintiff in error contends that it was not necessary he should rejoin to the replication to his second plea. The rule according to Chitty (see vol. 1 p.519 and 520) is that where the defendant has pleaded the record of another court and replication of nul tiel record concludes with an averment and a prayer of debt and damages, there should be a rejoinder re-asserting the existence of the record. Here a record of another court was pleaded, and the replication concluded with a prayer of the debt and damages. There was then, we think, no error in the decision of the circuit court in giving judgment against the defendant on the second plea. But for the error committed by circuit court in treating the defendant's first plea as a nullity its judgment is reversed." *REPORTS OF CASES ARGUED AND DECIDED IN THE SUPREME COURT OF THE STATE OF MISSOURI FROM 1835 TO 1837. PAGE 7*

Part 1: ORDER(S) SOUGHT

Petitioner humbly prays for:

1. an Order authorizing and permitting the Petitioner to file with this Court an ORDER FOR INDIGENT STATUS
2. an Order authorizing and permitting the Petitioner to file with this Court an arrangement for Petitioner's Legal Services, care of Legal Services Branch Ministry of Attorney General for British Colombia.
3. an Order authorizing and permitting the Petitioner to file with this Court an arrangement between the Petitioner and Petition Respondent(s)
4. an Order authorizing and approving Petitioner to file with this Court an arrangement under the *Criminal Code* [R.S.C., 1985], c. C-46 s. 15.39.40.41.42.126.127. for compliance of provisions of Petitioner's acceptance of and COMPLIANCE WITH PROVISIONS OF CONTRACT *Criminal Code*, R.S.C. 1970, c. C-34., PART XVI A. G. 375 V. Docket no. 0170405748 May 29, 1974 A.D. The action involves multiple claims and multiple parties and no effort was made to comply. That a Declaration that the Petitioners Respondent(s) are corporations, the Crown, governments, principals, employees, agents and justice system participants to which the order applies;
5. an Order for a REQUISITION and NOTICE OF ADDRESS FOR SERVICE for the Petitioner to serve all pleadings and notices and related materials in this proceeding by forwarding true copies thereof by PERSONAL SERVICE such service shall be deemed to be by registered mail, to the PETITION Respondent(s) at their respective addresses as last shown on the records of the Petitioners, and any such service or notice shall be deemed to be received by registered mail, on the third business day after mailing, and that the time for filing a Response to Petition by persons outside of British Columbia be abridged to 14 days;
6. an Order that the Orders in these proceedings shall have full force and effect in all Provinces and Territories of Canada and any other Foreign Country where the Petition Respondant(s) are domiciled; and
7. such further and other Orders as this Honourable Court may deem proper under the circumstances, as more particularly set out in the draft form of Initial Order *Criminal Code*, R.S.C. 1970, c. C-34., PART XVI A. G. 375 V. Docket no. 0170405748 May 29, 1974 A.D. attached hereto as Schedule "A".

Part 2: FACTUAL BASIS

1. *In the Supreme Court of British Columbia IN THE MATTER OF THE JUDICIAL REVIEW PROCEDURE ACT* R.S.B.C. 1996, C. 241
Brought under the *CLASS PROCEEDINGS ACT* RSBC 1996 C. 50 *the CROWN PROCEEDING ACT* RSBC 1996 CHAPTER 89 *is writ in debt.*

Part 3: LEGAL BASIS

1. Administrative Tribunals Act [SBC 2004 C. 45]
2. Bankruptcy and Insolvency Act [R.S., 1985, c. B-3]
3. Bills of Exchange Act [R.S.C., 1985, c. B-4]
4. Canada - United States Free Trade Agreement Implementation Act [S.C. 1988, c. 65]
5. Canadian Bill of Rights [1960, c. 44]
6. Class Proceeding Act [RSBC 1996 C.50]
7. Consumer Credit Protection Act

6500 - Consumer Protection

PART 226—TRUTH IN LENDING (REGULATION Z)

Subpart A—GENERAL

§ 226.1 Authority, purpose, coverage, organization, enforcement, and liability.

- (a) *Authority.* This regulation, known as Regulation Z, is issued by the Board of Governors of the Federal Reserve System to implement the federal Truth in Lending Act, which is contained in title I of the Consumer Credit Protection Act, as amended (15 U.S.C. 1601 et seq.). This regulation also implements title XII, section 1204 of the Competitive Equality Banking Act of 1987 (Pub. L. 100--86, 101 Stat. 552). Information-collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of 44 U.S.C. 3501 et seq. and have been assigned OMB No. 7100--0199.

8. Criminal Code [R.S.C., 1985, c. C-46]
9. Crown Proceeding Act [RSBC 1996 C. 89]
10. Court Order Enforcement Act [RSBC 1996 C. 78]

11. Court Jurisdiction and Proceedings Transfer Act [(SBC 2003) Chapter 28]
12. Employment Insurance Act [S.C.1996, c. 23]
13. Excise Tax Act [R.S.C., 1985, c. E-15]
14. Fair Debt Collection Practices Act codified at [15 USC 1601nt., 1692 et seq.];
 “Fair Credit Billing Act” codified at [15 USC 1601 et seq.];
 “Generally Accepted Auditing Practices” (GAAS)
15. Income Tax Act [R.S.C., 1985, c. 1] (5th Supp.))
16. Judicial Review Procedure Act [R.S.B.C. 1996, C. 241]
17. Law and Equity Act [RSBC 1996 C. 253]
18. Magna Carta (1297)[1297 c. 9 25_Edw_1_cc_1_9_29]
19. Observance of due Process of Law (1368)[1368 c. 3 42_Edw_3]
20. Royal Style and Titles Act [R.S.C., 1985, c. R-12]
21. The Uniform Commercial Code
 2-609 “Right to Adequate Assurance of Due Performance”
 3-308 “Proof of Signatures”
 9-102 “Policy and Subject Matter of Article”.
 9-107 “Request for Accounting”
22. Restatement (Second) of Agency § 1 (1958)

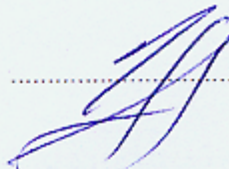
 See § 1(c)(1)(i)-(iv) of the Act, 22 U.S.C. § 611(c)(1)(i)-(iv), 668 F2d 159

Part 4: MATERIAL TO BE RELIED ON

1. PETITION TO THE COURT Form 66
2. REQUISITION – GENERAL Form 17
3. ORDER FOR INDIGENT STATUS Form 79
4. AFFIDAVIT IN SUPPORT OF INDIGENT APPLICATION Form 80
 “Affidavit # 1 of *Ian Robb Forgie* made..../..../2012”
5. REQUISITION – GENERAL Form 17
6. NOTICE OF ADDRESS FOR SERVICE Form 9
7. AFFIDAVIT OF PERSONAL SERVICE Form 15
 “Affidavit # 2 of *Ian Robb Forgie* made/..../2012”

The petitioner(s) estimate(s) that the hearing of the petition will take 30 minutes.

Date: Feb 24 2012



Signature of petitioner *Ian Robb Forgie*

To be completed by the court only:

Order made

☐ in the terms requested in paragraphs of Part 1 of this petition

☐ with the following variations and additional terms:

.....
.....
.....

Date:

.....
Signature of ☐ Judge ☐ Master

No. S-120840

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PETITION TO THE COURT
AFFIDAVIT OF IAN ROBB FORGIE

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