

FILED

MAY 05 2021

PROVINCIAL COURT
OF BRITISH COLUMBIA
SURREY

APPLICATION TO A JUDGE

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER	86323
REGISTRY LOCATION	Surrey

Fill in the names of the parties, copying them from the Notice of Claim or Notice of Civil Resolution Tribunal Claim. Also, fill in the registry file number shown on the Notice.

In the case between:

JESSICA YANIV

CLAIMANT(S)

and

DONALD FRANCIS SMITH

DEFENDANT(S)

FROM:

Fill in the name, address and telephone number of the applicant.

NAME DONALD FRANCIS SMITH
ADDRESS C/O Suite #201 - 22314 Fraser Hwy

APPLICANT

CITY, TOWN, MUNICIPALITY Langley British Columbia PROV. POSTAL CODE TEL. # 778 277-2201

The registry staff will tell you the date of the hearing.

An application will be made to the court

on June 7, 2021 at 2:00 pm or as soon after this time as the court schedule allows

at

Surrey Provincial Court

court location

PROVINCIAL COURT OF
14340 - 57th AVENUE
SURREY, B.C. (in person)
V3X 1B2

Give details of the order you are asking for.

for the following order:

1. Pursuant to Rule 20 (5) a penalty be assigned equivalent to the value of the claim (\$35,086) and paid to the Defendant.
2. Pursuant to Rule 20 (2)(b) & (c) the Claimant pay for the costs of transcripts, service fees, and court copying costs to the Defendant in the amount of \$960.00
3. The Claimant be required to pay the court filing fees that were waived to the registrar for this action.
4. That the order made by Judge Cohen prohibiting Kari Simpson from helping the Defendant be vacated.
5. Pursuant to Rule 20 (6) that the Claimant pay \$880.00 for travel/taxi costs to the Defendant.

Give the facts you wish the court to consider and then sign the Application.

The facts on which the application is based are as follows:

1. That the Claimant filed this claim in bad faith.
2. The Claimant was advised on August 14, 2020 that the claim could not be heard under the Rules of the Small Claims court.
3. Ignoring this judicial advisory, the Claimant continued on, and went so far as to inform Judge Cohen on September 9, 2020, that the intention was to proceed to trial.
4. The Claimant is well aware of the disabilities of the Defendant, and has on numerous occasions referred to the Defendant as a "fuck'n retard", yet the Claimant continued to allow the court to proceed, hearing after hearing without clarifying the fact there is a directive for the Claimant to make submissions,

I certify these facts are true.

Sign, print or type name of applicant

This will be completed by the court.

The Court orders that

by the Court

APPLICATION TO A JUDGE

applicant copy

applicant copy