

No. S243325
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

TRIAL LAWYERS ASSOCIATION OF BRITISH COLUMBIA
and KEVIN WESTELL

PLAINTIFFS

AND:

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH
COLUMBIA, ATTORNEY GENERAL OF BRITISH COLUMBIA, and
LIEUTENANT GOVERNOR IN COUNCIL OF BRITISH COLUMBIA

DEFENDANTS

AND:

CANADIAN BAR ASSOCIATION, INDIGENOUS BAR ASSOCIATION IN CANADA,
SOCIETY OF NOTARIES PUBLIC OF BRITISH COLUMBIA, LAW FOUNDATION OF
BRITISH COLUMBIA, and LAW SOCIETY OF MANITOBA

INTERVENORS

APPLICATION RESPONSE

Application Response of: The Indigenous Bar Association in Canada (the “**IBA**”)

THIS IS A RESPONSE TO the notice of application of the Trial Lawyers Association of British Columbia and Kevin Westell, filed April 7, 2025.

The application has been set for 14 hearing days beginning October 14, 2025, pursuant to the judicial case management order made by Chief Justice Skolrood on November 27, 2024.

Part 1: ORDERS CONSENTED TO

The IBA consents to the granting of **NONE** of the orders set out in Part 1 of the notice of application.

Part 2: ORDERS OPPOSED

The IBA opposes the granting of **NONE** of the orders set out in Part 1 of the notice of application.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The IBA takes no position on the granting of **ALL** of the orders set out in Part 1 of the notice of application.

Part 4: FACTUAL BASIS

1. The IBA adopts and relies on the factual basis set out in their application response filed in BCSC action no S-243258, Vancouver Registry (the “**Law Society Action**”), in response to the Law Society’s summary trial application.

Part 5: LEGAL BASIS


2. The IBA adopts and relies on the legal basis set out in their application response filed in the Law Society Action in response to the Law Society’s summary trial application.

Part 6: MATERIAL TO BE RELIED ON

1. Affidavit #1 of Drew Lafond, filed December 30, 2024;
2. Affidavit #1 of Tiffany Webb, affirmed on April 25, 2025; and,
3. Such further materials as counsel may advise and this Court may permit.

☒ The application respondent has filed in this proceeding a document that contains the application respondent’s address for service.

Dated: April 25, 2025



Signature of lawyers for the application respondent
Declan C. Redman and David W. Wu

This application response is prepared by solicitors for the Indigenous Barr Association, Arvay Finlay LLP, Barristers and Solicitors, whose place of business and address for service is 360-1070 Douglas Street, Victoria, British Columbia, V8W 2C4. Telephone: 250.380.2788.