

Court of King's Bench of Alberta

Citation: Bignall v Canada (Attorney General), 2026 ABKB 189

Date: 20260312
Docket: 2601 01810
Registry: Calgary

Between:

Kerry-Ann Bignall

Plaintiff

- and -

Attorney General of Canada and His Majesty the King in Right of Alberta

Defendants

**Endorsement
of the
Honourable Associate Chief Justice
D.B. Nixon**

[1] On February 9, 2026, I received a joint written request from counsel for the Attorney General of Canada (“AGC”) and counsel for His Majesty the King in Right of Alberta (“HMTKA”), asking the Court to review the Plaintiff’s Statement of Claim filed January 29, 2026 under Civil Practice Note 7 (“CPN7”).

[2] Subsequently, and unprompted, the Plaintiff submitted a letter requesting an extension of time to reply to the CPN7 request. Although the Court had not provided the Plaintiff with any direction or deadlines, the Court granted the Plaintiff an extension of time and on February 26, 2026, the Court received a reply to the Defendants’ request for review of the Statement of Claim

under CPN7. In her reply, the Plaintiff asks for the Court to: (a) grant her permission to amend the Statement of Claim; and (b) dismiss the Defendants' request for review of the Statement of Claim under CPN7.

[3] CPN7 sets out summary procedures, using r 3.68 of the *Alberta Rules of Court*, Alta Reg 124/2010, for an assessment of a "claim, defence, action, application, or proceeding that appears on its face to be frivolous, vexatious, or otherwise an abuse of process."

[4] In their joint submission, counsel for the Defendants argue that the Statement of Claim is clearly vexatious on its face and should be dismissed. Amongst other things, in the Statement of Claim, the Plaintiff seeks to compel the AGC to legislate to protect her "neuro space" and seeks damages from HMTKA for allegedly violating her privacy by allowing "his agents", the Calgary Police Service (who are not named as a defendant in the Statement of Claim), to covertly insert neurotechnology into her brain to monitor and control her bodily functions and bodily integrity.

[5] In response to the allegations of a potentially vexatious claim, the Plaintiff states that "some of the errors in the document are honest mistakes" and she proposes to remove certain "deficient" paragraphs. In support of her request, she asserts that the Statement of Claim could be "one of public interest" because the public would be "interested to know about the existence of neurotechnology and what are the implications of its abuses and misuses" and "the safeguarding of mental privacy and mental integrity are important issues to the public." She goes on to state that "[n]ot many people know of neurotechnology and that it can be used to manipulate thoughts and read minds. These are great dangers to human dignity, which must be safeguarded."

[6] I reviewed the Statement of Claim and the submissions of the Defendants and Plaintiff. Based on my review of the facts and analysis of the law, I find the Plaintiff appears to be acting in good faith with respect to her Statement of Claim and her thoughtful request to amend it. She acknowledges that she has "had a challenging time" obtaining legal guidance and is cognizant of attempting to "save both personal and judicial resources". She also recognizes that after conducting some research, some of her original requests for relief are not within the Court's jurisdiction.

[7] On this basis, I grant the Plaintiff leave to amend her Statement of Claim. In her amendments, she may wish to address the concerns raised by counsel for the Defendants. This may include addressing the following questions.

- a) The Plaintiff alleges breach of provincial and federal privacy laws. The Plaintiff may wish to explain what actions, if any, she has taken with provincial or federal privacy regulators, such as the Office of the Information and Privacy Commissioner of Alberta (OIPC) and/or the Office of the Privacy Commissioner of Canada, as typically these regulators have jurisdiction over privacy matters including complaints and breaches.
- b) The Plaintiff "pleads all causes of action from the material facts that arise herein". The Plaintiff may wish to specify if there are any specific causes of action she is pleading rather than just making such a generalized statement.
- c) The Plaintiff may wish to provide particulars concerning her allegation that HMTKA and/or the Calgary Police Service has "used its neurotechnology on the Plaintiff". How does the Plaintiff allege that it was HMTKA and/or the Calgary

Police Service that connected the neurotechnology to her brain? Is it possible that “what felt like an ant” and the “ant technology” was actually an ant or other insect? Is it possible that there are more plausible explanations for the Plaintiff’s changes in bodily functions?

- d) The Plaintiff states that she has “felt that she was being profiled” without providing any facts to support these assertions. She may wish to clarify or provide particulars.
- e) The Plaintiff may wish to explain the basis on which the Court has jurisdiction to entertain her *Charter* challenges? For example, it is not clear to the Court whether there has been a “search” or “seizure” for constitutional purposes. It is also not clear whether there is any ongoing or concluded administrative or criminal investigation concerning the Plaintiff.
- f) Some of the alleged incidents appear to have occurred outside of the limitation period in the Alberta *Limitations Act*, RSA 2000, c L-12. The Plaintiff may wish to explain how these claims are not statute barred by the operation of the *Limitations Act*.
- g) The Plaintiff references a human rights complaint in her submissions. Is this complaint related to the matters alleged in the Statement of Claim, and if so, what is the status of the complaint?
- h) On what basis is the amount of monetary relief sought in the Statement of Claim fair, reasonable, and appropriate?

[8] The Plaintiff has until April 3, 2026 to file and serve an Amended Statement of Claim. Upon review, I will determine whether it is still appropriate to proceed with the CPN7 process, including any review of the Amended Statement of Claim under CPN7.

[9] To be clear, this Endorsement does not prevent the Defendants from applying in the future for other relief under the *Alberta Rules of Court*, including r 3.68, for remedies for alleged issues or deficiencies in the Statement of Claim, as may be amended.

[10] I encourage the Plaintiff to seek legal advice and assistance. If she cannot afford to hire a lawyer, she may wish to contact Calgary Legal Guidance at (403) 234-9266. For information or assistance filing documents, she may wish to contact Court and Justice Services at 1-855-738-4747. The *Alberta Rules of Court* and other helpful resources can be accessed for free on <https://www.canlii.org/>.

[11] This Endorsement shall be served on the Plaintiff and the Defendants.

Dated at Calgary, Alberta this 12th day of March 2026.

D.B. Nixon
A.C.J.C.K.B.A.

Appearances:

Tessa la Bastide – Written Submission
Attorney General of Canada
for the Defendant, Attorney General of Canada

Natasha Sutherland – Written Submission
Alberta Justice
for the Defendant, His Majesty the King in Right of Alberta

Kerry-Ann Bignall – Written Submission
Plaintiff