

Court of King's Bench of Alberta

Citation: Naaz v Baxter, 2025 ABKB 84

Date: 20250214
Docket: 2401 18494
Registry: Calgary

Between:

Ayesha Naaz

Plaintiff

- and -

**Cynthia Baxter and Cynthia Baxter Professional Corporation, The Law Society of Alberta,
and John Dooks**

Defendants

**Apparent Vexatious Application or Proceeding Notice
of the
Associate Chief Justice
D.B. Nixon**

[1] On December 20, 2024, the Plaintiff filed a Statement of Claim. On January 5, 2025, counsel for two of the Defendants, Cynthia Baxter and Cynthia Baxter Professional Corporation, asked the Court to review the Statement of Claim under Civil Practice Note 7 (“CPN7”).

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

[3] I reviewed the Statement of Claim. It appears on its face to be frivolous, vexatious, or an abuse of process. Specifically, it appears to make sensational and inflammatory claims, seeks

relief which is impossible to ascertain or cannot be obtained, and may represent a collateral attack on the Plaintiff's ongoing administrative processes with one of the Defendants; specifically, the Law Society of Alberta.

[4] Given this context, if the Plaintiff wishes to continue with the Statement of Claim, Ayesha Naaz must file a Written Submission setting out why the Statement of Claim is not frivolous, vexatious, or an abuse of process.

[5] The next steps are as follows.

- a. The Clerk will file and serve this Apparent Vexatious Application or Proceeding Notice ("AVAP Notice") on the Plaintiff and all the Defendants. I understand the Plaintiff has consented to service by email at ayesha.naaz@yahoo.com.
- b. The other Defendants, the Law Society of Alberta and John Dooks, or their counsel, may join counsel for Cynthia Baxter and Cynthia Baxter Professional Corporation in asking the Court to review the Statement of Claim under CPN7. If they choose to do so, they or their counsel on their behalf should prepare a Written Submission confirming same within 14 days after receiving this AVAP Notice. It should be clearly addressed "To the Attention of Associate Chief Justice D.B. Nixon" and should be sent to the office of Associate Chief Justice D.B. Nixon, located at the Calgary Court Centre, 601 – 5th Street, S.W., Calgary, Alberta T2P 5P7. It must also be served on all other parties in the action.
- c. If the Plaintiff wishes to respond to this AVAP Notice, Ayesha Naaz must prepare a Written Submission of no more than 10 pages. They must file and serve the Written Submission within 14 days after receiving this AVAP Notice. The Written Submission must be clearly addressed "To the Attention of Associate Chief Justice D.B. Nixon" and should be sent to the office address set out in paragraph "b", above. It must also be served on all other parties in the action.
- d. If the Plaintiff does not file and serve a Written Submission by the deadline, the Court will make a final decision on whether the Statement of Claim should be struck out in whole or in part under r 3.68 of the *Alberta Rules of Court*.
- e. If the Plaintiff does file and serve a Written Submission, each of the Defendants, Cynthia Baxter and Cynthia Baxter Professional Corporation, and the other Defendants, the Law Society of Alberta and John Dooks, if they have elected to join the CPN7 review process, have seven days to provide a Written Reply of up to 10 pages. The Written Reply must be clearly addressed "To the Attention of Associate Chief Justice D.B. Nixon" and should be sent to the office address set out in paragraph "b" above. It must also be served on all other parties in the action.
- f. Once the Court receives the Plaintiff's Written Submission (if any) and the Defendants' Written Reply(ies) (if any), the Court will make a final decision on whether the Statement of Claim should be struck out in whole or in part under r 3.68 of the *Alberta Rules of Court*.

[6] The *Alberta Rules of Court* can be accessed for free on <https://www.canlii.org/>.

[7] I encourage the Plaintiff to seek legal advice and assistance. If they cannot afford to hire a lawyer, they may wish to contact Calgary Legal Guidance at (403) 234-9266. For information or assistance filing documents, they may wish to contact Court and Justice Services at 1-855-738-4747.

[8] Counsel for two of the Defendants, Cynthia Baxter and Cynthia Baxter Professional Corporation, with cooperation of the other two Defendants, the Law Society of Alberta and John Dooks, or their counsel (as applicable, if they wish to participate in the CPN7 process), will prepare and serve the Interim Order staying this Action until the CPN7 process is complete. The Plaintiff's approval of that Order is not required, pursuant to r 9.4(2)(c) of the *Alberta Rules of Court*.

Dated at Calgary, Alberta this 14th day of February 2025.

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

Appearances:

Brynne Harding – Written Submission
Bennett Jones LLP

For Defendants, Cynthia Baxter and Cynthia Baxter Professional Corporation

Law Society of Alberta – No Appearance

John Dooks – No Appearance

Ayesha Naaz – No Appearance