
PROVINCIAL COURT OF BRITISH COLUMBIA

DAN_ENFORCEMENT,
Plaintiff,

v.

BellaRelevation, in their official capacity as
a Vancouver Police Department Employee,
K7K12R3, in their official capacity as a
Vancouver Police Department Employee.
Defendant.

Case No. CV-14008-22
Presiding: koalaMedvedeva
REPLY

FORMAL REPLY

The Defence in the aforementioned matter respectfully submits this reply to the Plaintiff’s notice of claim.

STATEMENT OF THE FACTS

On or about the 23rd of January, 2022, the Dan_Enforcement (hereinafter referred to as the “Plaintiff”) was pulled over for speeding in the City of Vancouver. Officers BellaRelevation and K7K12R3 (hereinafter referred to as the “Defendants”) pulled over the Plaintiff. The Defendants observed the Plaintiff and observed that he was going at high speeds.

PLEAS

- Section 3(a) of the *Torts Act of 2020* - “Negligence”
 - The Defendants Plead **Not Liable**
- Section 3(m) of the *Torts Act of 2020* - “Harassment”
 - The Defendants Plead **Not Liable**
- Section 3(l) of the *Torts Act of 2020* - “Defamation”
 - The Defendants Plead **Not Liable**
- The Defendants plead **Not Liable** to all torts brought forward in this case.

REPLY TO EACH PLEA

As per the British Columbia Provincial Courts Rules of Civil Procedure, specifically under rule 1.6, we include this section here. To respond to the first tort of “negligence”, we deny any liability to this tort. The tort of negligence is defined as the “act of causing damage through neglect, or causing damage by failure to do what is socially, and legally, expectable of a person.” The Plaintiff claimed that Officer K7K12R3 was negligent in walking off from a traffic stop, however, there are many possible reasons as to why a traffic stop would need to be terminated immediately. Recently, the City of Vancouver has been plagued with a terrible crime wave, and thus, officers are obliged to respond to more high-priority calls. It was not negligent in any way as there was no damage caused to anyone. Therefore, Officer K7K12R3 is not liable

for the tort of negligence. The Plaintiff also claimed that Officer BellaRelevation was negligent for “stopping [the plaintiff] in a careless manner for 'speeding.’” As an employee of the Vancouver Police Department, it is expected for employees to conduct their lawful duties as law enforcement officers, and the Officer in question did not show any negligence throughout the course of the traffic stop; therefore, Officer BellaRelevation is not liable for the tort of negligence. As for the second tort, the Plaintiff has brought forward the tort of harassment which is described as the “repeated, and intentional aggravated intimidation or pressure of another person.” The Plaintiff claimed that the two officers did not have reason to conduct the traffic stop, however, conducting a traffic stop is not harassment if the officers had just reason to conduct it in the first place. The Defendants did not “randomly stop [the plaintiff]”, but rather were conducting a lawful traffic stop as is expected of law enforcement officers. The Plaintiff also falsely quoted Officer BellaRelevation when he said falsely claimed that she said the following: “Wouldn't wanna ruin your career.” This is nowhere near the tort definition for harassment, nor was it near to what she actually said that day. This action was also not repeated either therefore it does not satisfy the tort definition. Therefore, the Defendants are not liable for the tort of harassment. Lastly, the tort of defamation, which is defined as the “act of making false claims that are damaging to the public reputation of a person or entity”, we plead that the Defendants are not liable. The Plaintiff alleged that Officer BellaRelevation defamed his character when he, once again, misquoted her and said that she allegedly said the following: “Wouldn't wanna ruin your career.” Due to the fact that the Plaintiff completely misquoted what Officer BellaRelevation said, she should not be held liable for the tort of defamation.

Date: 01/24/2022

TURNTABLE5000
Deputy Attorney General
MINISTRY OF JUSTICE

Counsel of Record