

**BRITISH COLUMBIA PROVINCIAL COURT**  
for *Vancouver B.C.*

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tr33sinthew00ds

**MOTION TO DISMISS**

Plaintiff(s),

v.

**PRESIDING JUDGE koalamedvedeva**

AmNobCop,

Defendant(s).

**DATE FILED: 04/18/2022**

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**MOTION TO DISMISS**

The Defendant in the matter of tr33sinthew00ds v. AmNobCop, motion for dismissal on the grounds that the action taken against the plaintiff is not Disciplinary Action..

**BACKGROUND**

The plaintiff, tr33sinthew00ds, alleges that they were terminated from the VPD:ERT:Public Relations sub-division with the reasoning that they were “disrespecting other departments and/or people.” They allege that no document was provided, no investigators contacted them, and that they violated the Employee Rights Act of 2022 by doing so.

**ARGUMENT**

The Employee Rights Act of 2022 specifies that “Disciplinary Action shall only be when an employee has received a verbal warning, written warning, suspension, demotion, or termination.” The Vancouver Police Department:Emergency Response Team is an individually sanctioned Public Agency within the Employee Rights Act, with the Public Relations sub-division simply being a part of the VPD:ERT. The plaintiff was never terminated from the VPD:ERT or had disciplinary action taken against them during the course of being removed from the sub-division. This case is a rendition of DomSequence et al. v. XxEldridPlayzxX et al, 2022 MCR 83. Stated within the judgment, “There is no doubt to me that division transfers or other internal reassignments do not constitute “disciplinary action” within the meaning of the Act”.

Therefore, as no actual disciplinary action was taken against the plaintiff and they were simply reassigned out of the Public Relations division, the action taken by the defendant was not disciplinary action. Therefore, the defendant was not legally obligated to provide a Disciplinary Action Document or provide any investigation to the plaintiff. With no rights being infringed upon, the law was not broken either. Thus, we submit a motion to dismiss this case as the actions taken by the defendant were within the law.