

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

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iiCryptic\_LawMD,

**MOTION TO DISMISS**

Plaintiff(s),

v.

**PRESIDING JUDGE  
KOALAMEDVEDEVA**

mallyvibes,

Defendant(s).

**DATE FILED: 05/01/2022**

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**MOTION TO DISMISS**

The defense in the matter of iiCryptic\_LawMD v. mallyvibes, motion for dismissal on the grounds that the plaintiff fails to state a claim.

**BACKGROUND**

On 4/29/2022, the plaintiff filed a notice of claim in which he alleges he was unjustly dismissed, by the defendant, from his position as City Attorney. The plaintiff's cause of action in the notice of claim was 'a Public statement released on the 28th, with the response entailing "Action will be taken".' The plaintiff filed under the tort "Right to Challenge Disciplinary action.

**ARGUMENT**

The cause of action section of the notice of claim was not properly filled out. The cause of action is an essential part of a claim. Without it, the court and defendant have no clue what the plaintiff is alleging the defendant did.

A claim must have facts to support it. His causes of action, the most essential facts to the case and the reasoning he believes he can sue, were indescriptive and did not provide a clear path to how the "Public statement" and "response" demonstrated he was unjustly terminated. The plaintiff fails to present sufficient facts that if true, would demonstrate a violation of law; therefore, the plaintiff lacks a claim.