

Vancouver

05-May-14

REGISTRY

No. S-090663  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CAMBIE SURGERIES CORPORATION, CHRIS CHIAVATTI by his litigation guardian  
RITA CHIAVATTI, MANDY MARTENS, KRYSTIANA CORRADO by her litigation guardian  
ANTONIO CORRADO, ERMA KRAHN, WALID KHALFALLAH by his  
litigation guardian DEBBIE WAITKUS, and SPECIALIST REFERRAL CLINIC  
(VANCOUVER) INC.

PLAINTIFFS

AND:

MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA,  
MINISTER OF HEALTH OF BRITISH COLUMBIA,  
and ATTORNEY GENERAL OF BRITISH COLUMBIA

DEFENDANTS

AND:

DR. DUNCAN ETCHES, DR. ROBERT WOOLLARD, GLYN TOWNSON,  
THOMAS MCGREGOR, BRITISH COLUMBIA FRIENDS OF MEDICARE  
SOCIETY, CANADIAN DOCTORS FOR MEDICARE, MARIËL SCHOOFF,  
DAPHNE LANG, JOYCE HAMER, MYRNA ALLISON, CAROL WELCH,  
and the BRITISH COLUMBIA ANESTHESIOLOGISTS' SOCIETY

INTERVENORS

APPLICATION RESPONSE

(Re "Intervenors Etches, Woollard, Townson, McGregor, BCFMS and CDM")

Application response of: the Defendants Medical Services Commission of British Columbia,  
Minister of Health of British Columbia, and Attorney General of British Columbia.

This is a Response to: the Notice of Application of the Intervenors filed 24 April 2014.

**Part 1: ORDERS CONSENTED TO**

The Defendants consent to the granting of all of the orders set out in Part 1 of the application.

**Part 2: ORDERS OPPOSED**

The Defendants oppose the granting of none of the orders set out in Part 1 of the application.

**Part 3: ORDERS ON WHICH NO POSITION IS TAKEN**

The Defendants take no position on the granting of none of the orders set out in Part 1 of the application.

**Part 4: FACTUAL BASIS**

1. The Defendants agree with and adopt the facts as set out in Part 2 of the application, except as follows.
2. The trial of this matter has been set for 18 weeks, rather than 19, as stated by the Applicants at para. 5.

**Part 5: LEGAL BASIS**

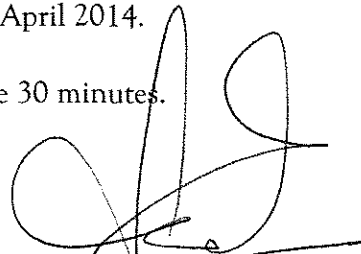
1. The Defendants agree with and adopt the argument set out by the Applicants in Part 3 of the Application.

**Part 6: MATERIAL TO BE RELIED ON**

1. Affidavit #1 of Adam Lynes-Ford, made 1 April 2014.

The Defendants estimate that the application will take 30 minutes.

DATED 5 May 2014

  
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JONATHAN PENNER  
Counsel for Defendants