

Date: 20260312
Dockets: CI 24-01-47333, CI 25-01-50665, CI 25-01-51048; CI 25-01-51749,
CI 25-01-51897, CI 25-01-50235, CI 25-01-52266 and CI 25-01-53413
(Winnipeg Centre)
Indexed as: 10042210 Manitoba Inc. et al. v. The City of Winnipeg
Cited as: 2026 MBKB 35

COURT OF KING'S BENCH OF MANITOBA

B E T W E E N:

File No. CI 24-01-47333)
)
10042210 MANITOBA INC. and)
10064143 MANITOBA LTD.,) Ayaz Ahmad
) for 10042210 Manitoba Inc.,
applicants,) 10064143 Manitoba Ltd. and
) on their own behalf
- and -)
)
THE CITY OF WINNIPEG,) Nicole K. Beasse
) for the respondent
respondent.) The City of Winnipeg
)
)

A N D B E T W E E N:

File No. CI 25-01-50665)
)
AYAZ AHMAD,) Tamara D. Edkins
) for the respondent
) The Government of Manitoba and
) Paul Olafson, The Assistant
) Deputy Minister of Finance for
) the Province of Manitoba,
applicant,)
)
- and -) Lee Kellie-McMillan
) for the respondent
THE GOVERNMENT OF MANITOBA and) The Attorney General of Canada
THE CITY OF WINNIPEG,)
)
respondents.)
)

AND BETWEEN:

File No. CI 25-01-51048

THE CITY OF WINNIPEG,

applicant,

- and -

10042210 MANITOBA INC.,
10064143 MANITOBA LTD., and
AYAZ AHMAD,

respondents.

AND BETWEEN:

File No. CI 25-01-51749

10042210 MANITOBA INC.,

applicant,

- and -

PAUL OLAFSON, THE ASSISTANT DEPUTY
MINISTER OF FINANCE FOR THE
PROVINCE OF MANITOBA,

respondent.

AND BETWEEN:

File No. CI 25-01-51897

10064143 MANITOBA LTD.,

applicant,

- and -

ATTORNEY GENERAL OF MANITOBA,

respondent.

AND BETWEEN:

File No. CI 25-01-50235

10042210 MANITOBA INC. and
AYAZ AHMAD,

applicants,

- and -

THE GOVERNMENT OF MANITOBA,

respondent.

AND BETWEEN:

File No. CI 25-01-52266

10042210 MANITOBA INC.,

applicant,

- and -

ATTORNEY GENERAL OF MANITOBA,

respondent.

AND BETWEEN:

File No. CI 25-01-53413

10042210 MANITOBA INC. and
10064143 MANITOBA LTD.,

applicants,

- and -

ATTORNEY GENERAL OF MANITOBA,

respondents.

Judgment Delivered:
March 12, 2026

REMPEL J.

INTRODUCTION

Issues

[1] The details of the eight actions before me reveal a history of repetitive and meritless legal actions against the City of Winnipeg ("Winnipeg") and the Province of Manitoba, the Attorney General of Manitoba and an Assistant Deputy Minister of Manitoba ("Manitoba"). One of the matters seeks to add the Attorney General of Canada ("Canada") as a respondent.

[2] These actions are part of a relentless series of legal challenges advanced by the applicant ("Mr. Ahmad") or corporations that he controls in response to measures undertaken by various levels of government that are authorized by statute or implemented by government policy. The issues that Mr. Ahmad disputes include, but are not limited to:

- Taxes imposed by Manitoba on Tobacco products under the ***Tobacco and Vaping Products Act***, S.C. 1997, c. 13 (the "***Tobacco Act***"), that Mr. Ahmad sells in his convenience store;
- The seizure of cigarettes Mr. Ahmad has displayed for sale in his convenience store;
- Actions taken by the Winnipeg Police Service (the "WPS") upon his arrest and subsequent release from custody;
- A traffic ticket issued by Winnipeg;

- The rejection by registry staff of court documents filed by Mr. Ahmad at the Court of King's Bench Registry Office in Winnipeg (the "Registry Staff"); and
- The refusal of Sheriff's Officers to deliver court documents to Registry Staff on Mr. Ahmad's behalf.

[3] Winnipeg, Manitoba and Canada argue that the litigation strategy of Mr. Ahmad over the years constitutes an abuse of the process of this court and places an unnecessary burden on public resources. Consequently, Winnipeg, Manitoba and Canada are requesting that the claims filed against them be dismissed or struck. In matter CI 25-01-51048 ("Matter #3"), Winnipeg has filed an application seeking a vexatious litigant order against Mr. Ahmad and two corporations that he controls. Manitoba and Canada have joined this application seeking a vexatious litigation order.

DECISION

[4] I am satisfied that all but one of the actions commenced by Mr. Ahmad or the Corporations constitute an abuse of process and should be struck. I am also declaring Mr. Ahmad and the Corporations to be vexatious litigants. My reasons follow.

BACKGROUND

[5] Mr. Ahmad is a director and officer of the two corporations (the "Corporations"), who have brought some of the claims and applications before me. Mr. Ahmad has also commenced other matters before me in his own name. One of the corporations controlled by Mr. Ahmad operates a convenience store in Winnipeg and he uses the other one to operate a courier business. Mr. Ahmad confirmed that he is the directing mind of the Corporations and the key employee in their business operations.

[6] The claims advanced by Mr. Ahmad or the Corporations have named Winnipeg and/or Manitoba, as the case may be, as defendants or respondents. Mr. Ahmad also seeks to add Canada as a respondent in suit number CI 25-01-50665 ("Matter #2").

[7] A whole host of actions previously commenced by Mr. Ahmad or the Corporations against Winnipeg, Manitoba and Canada or Crown corporations have already been struck under Rule 25.11 of the ***Court of King's Bench Rules***, M.R. 553/88 (the "***KBR***"), by other judges or associate judges of this court. The basis of those orders was that the actions were scandalous, frivolous or vexatious and failed to disclose any reasonable cause of action.

[8] Since 2022 Mr. Ahmad or the Corporations have commenced at least 31 claims or applications in this court. Of those 31 claims, 21 were either dismissed or struck under Rule 25.11. Mr. Ahmad has filed 26 notices of appeal with respect to those 21 proceedings. Four of those appeals are pending, but the rest have been dismissed. The historic targets of this litigation have been Winnipeg, Manitoba and Canada or ministers, deputy ministers or assistant deputy ministers of Manitoba or Canada.

[9] By its count Manitoba says Mr. Ahmad and the Corporations have filed at least 15 proceedings against Manitoba in the past two years alone. Nine of those actions have already been struck or dismissed. Despite this astounding lack of success, Mr. Ahmad or the Corporations have continued to launch fresh claims against Winnipeg, Manitoba and Canada arising from the same basic fact scenarios. Surprisingly, Mr. Ahmad has not been deterred by the many orders of costs that have been made against him or his Corporations and he makes a point of fastidiously paying the costs assessed against him.

PROCEDURAL MATTERS

[10] At the start of oral argument, I struck the notice of application filed under Matter #2 as against Manitoba, which left Winnipeg as the only named respondent. As part of my order, I also dismissed the motion filed by Mr. Ahmad to add Canada as a responding party to this action.

[11] I issued this order as the focus of the relief claimed in this matter was:

- An order quashing the recognisance signed by Mr. Ahmad on March 7, 2025, as part of a condition of his release from custody after his arrest by the WPS;
- Damages in the sum of \$10,000,000; and
- An injunction against Winnipeg to “stop assaulting [the] innocent”.

[12] In making this order I was satisfied that there was absolutely no basis in law for Manitoba or Canada to be held in any way liable for the actions of WPS officers and it would be an abuse of process to require those responding parties to make submissions on this issue.

[13] Counsel for Manitoba also requested that I not include matter CI 25-01-52266 (“Matter #7”) in any possible order to strike, as that matter involves a request for a refund of land transfer tax and it is brought as part of a right to appeal provided by statute.

[14] All counsel also agreed that if I should grant an order declaring Mr. Ahmad to be a vexatious litigant, I should not extend that order to any appeals that may be filed in this court as a matter of right pursuant to statute.

CATEGORIZING THE CLAIMS

Claims filed Against Manitoba

[15] The litigation commenced against Manitoba falls into three broad categories, namely ***Tobacco Act*** claims, Manitoba retail sales tax ("RST") claims and miscellaneous claims.

a) Tobacco Claims

[16] Many of the allegations against Manitoba involve what Manitoba describes as "copy and paste litigation" with respect to claims arising from tobacco vendors licence suspensions previously imposed on Mr. Ahmad or the Corporations and tobacco seizures from Mr. Ahmad's convenience store, that were previously struck. The relief claimed by Mr. Ahmad includes an injunction preventing Manitoba from collecting RST while his tobacco vendor's licence was suspended and \$10,000,000 in special damages.

b) RST Claims

[17] Mr. Ahmad has consistently refused to have the Corporations remit RST, which in turn caused the RST branch to automatically issue RST assessments against the Corporations. There is no question that these claims constitute an effort by Mr. Ahmad to circumvent the statutory appeal mechanism available to the Corporations. On the occasions where Mr. Ahmad has appeared before the Tax Appeals Commission (the "TAC"), he has declined to raise constitutional questions, but he then raises them in appeals permitted by statute that are filed in this court.

c) Miscellaneous Claims

[18] In a new development Mr. Ahmad has filed claims pertaining to, among other things:

- Photo radar traffic tickets issued by Winnipeg (seeking a re-trial of the action after leave to appeal was denied);
- A six-figure damage claim due to alleged misconduct by officers of the WPS;
- A claim against the Victim Services Branch for failure to reimburse him for \$20 in parking costs;
- The refusal of Registry Staff to accept pleadings or affidavits for filing that Mr. Ahmad had his courier company deliver to the Registry Office in sealed envelopes; and
- The refusal of Sheriff's Officers in the Law Courts Building at 408 York Avenue in Winnipeg to act as couriers for the legal documents Mr. Ahmad wishes to file with Registry Staff.

Claims against Winnipeg

[19] Some of the actions against Winnipeg include:

- Allegations that Winnipeg is "not a proper municipality" and lacks jurisdiction to impose legal obligations on citizens; and
- A \$7 million claim in damages and an injunction against Winnipeg to "stop assaulting [the] innocent" based on a requirement imposed on him by the WPS that he sign a recognisance before his release from custody.

Claims against Canada

[20] Canada opposed Mr. Ahmad's motion that it be added as a party to the claim involving the WPS, noting that Canada had no jurisdiction over the WPS. The past claims against Canada have largely related to the seizure of tobacco products and searches for contraband cigarettes in the convenience store. Mr. Ahmad alleges that the conduct

of Canada breached a duty “attached to the occupation” of the Attorney General of Canada.

MOTIONS TO STRIKE – FIRST PRINCIPLES

[21] The authority to strike a pleading or document is provided in Rule 25.11(1):

STRIKING OUT OR EXPUNGING DOCUMENTS

25.11(1) The court may on motion strike out or expunge all or part of a pleading or other document, with or without leave to amend, on the ground that the pleading or other document,

(a) may prejudice or delay the fair trial of the action;

(b) is scandalous, frivolous or vexatious;

(c) is an abuse of the process of the court; or

(d) does not disclose a reasonable cause of action or defence.

RADIATION OU SUPPRESSION DE DOCUMENTS

25.11(1) Le tribunal peut, sur motion, radier ou supprimer un acte de procédure ou un autre document, en tout ou en partie, avec ou sans autorisation de le modifier, parce que l'acte de procédure ou le document, selon le cas :

a) peut compromettre ou retarder l'instruction équitable de l'action;

b) est scandaleux, frivole ou vexatoire;

c) constitue un recours abusif au tribunal;

d) ne révèle pas une cause d'action ou une défense raisonnable.

[22] The legal test for applications to strike frivolous and vexatious proceedings or proceedings to constitute an abuse of process was described by Cameron J. (as she then was) in ***Nygård International Partnership v. Canadian Broadcasting Corporation et al.***, 2011 MBQB 124:

[12] For a claim to be struck as frivolous and vexatious, the test is high. In *57655 Manitoba Ltd. v. Iliffe* (1988), 1988 CanLII 7358 (MB KB), 57 Man.R. (2d) 276 (Q.B.), affirm'd at 1989 CarswellMan 387, Monnin J. (as he then was) approved of the following observations made by the learned referee (at p. 278):

For pleadings to be struck as frivolous and vexatious I believe that it must be shown that the pleadings are made without any probable justification at law, *mala fide* with a clear intent only to annoy or embarrass the opposing party.

[13] The above standard was recently reinforced by MacInnes J.A. in *Kreiner v. Manitoba (Auditor General)*, 2007 MBCA 154 where he stated:

3 To strike out on the ground of frivolity under Queen's Bench Rule 25.11(b), the appellants must show that there is no probable justification at law for the claim advanced.

[14] A claim that is frivolous and vexatious may also constitute an abuse of process.

[Emphasis added]

[23] The ***Nygård*** decision then turns to the issue of abuse of process:

[15] The focus of an abuse of process claim is on the court's integrity and its interest in maintaining confidence in the administration of justice.

[16] Abuse of process has been succinctly described in the oft-quoted passage by Arbour J. in *Toronto (City) v. C.U.P.E., Local 79*, 2003 SCC 63, [2003] 3 S.C.R. 77:

35 Judges have an inherent and residual discretion to prevent an abuse of the court's process. This concept of abuse of process was described at common law as proceedings "unfair to the point that they are contrary to the interest of justice" (*R. v. Power*, 1994 CanLII 126 (S.C.C.), [1994] 1 S.C.R. 601, at p. 616), and as "oppressive treatment" (*R. v. Conway*, 1989 CanLII 66 (S.C.C.), [1989] 1 S.C.R. 1659, at p. 1667). McLachlin J. (as she then was) expressed it this way in *R. v. Scott*, 1990 CanLII 27 (S.C.C.), [1990] 3 S.C.R. 979, at p. 1007:

... abuse of process may be established where: (1) the proceedings are oppressive or vexatious; and, (2) violate the fundamental principles of justice underlying the community's sense of fair play and decency. The concepts of oppressiveness and vexatiousness underline the interest of the accused in a fair trial. But the doctrine evokes as well the public interest in a fair and just trial process and the proper administration of justice.

[24] There is no exhaustive list of circumstances that define an abuse of process as it arises from the court's inherent power to protect the integrity of the legal system, by taking measures to prevent the misuse of its procedure in a way that is

fundamentally unfair or oppressive to a particular litigant. Grammond J. touches on this principle in **5976511 Manitoba Ltd et al. v. Taylor McCaffrey LLP et al.**, 2020 MBQB 7 (at paras. 43-44).

ANALYSIS AND CONCLUSION – MOTIONS TO STRIKE

[25] I am satisfied that all but one of the actions filed by Mr. Ahmad should be struck, not only because they violate the fundamental rules of pleading (see **KBR** Rule 25.06), but they also prejudice the possibility of a fair trial to the responding parties, who are deprived of an opportunity to fairly assess their positions and respond to the case they must meet at trial in a meaningful way.

[26] The wording contained in the actions filed by Mr. Ahmad are in large part word salads that are devoid of legal meaning and repeat complaints about prejudice and unfairness that harm what Mr. Ahmad describes as his “rights” in the broadest of terms, without providing specifics.

[27] The re-litigation of settled matters also makes a mockery of the principle of finality to litigation, which provides that “*a dispute once judged ... is not subject to relitigation*” (**Danyluk v. Ainsworth Technologies Inc.**, 2001 SCC 44 (CanLII), [2001] 2 S.C.R. 460, at para. 20).

[28] There is absolutely no merit or substance to the key arguments that Mr. Ahmad keeps raising repeatedly, which include assertions that:

- The City of Winnipeg is not properly constituted as a legal entity under Provincial legislation. When pressed on this point in oral argument, Mr. Ahmad was unable to state on what legal basis this argument can be sustained given

the provisions of ***The City of Winnipeg Charter***, S.M. 2002, c. 39, and the authority of Manitoba to enact this legislation;

- Injunctive relief and general damages should be granted against Manitoba to “stop assaulting [the] innocent”. This relief is claimed as a result of Mr. Ahmad being required to sign a recognizance in order to be released from custody after an alleged assault by WPS officers. No facts or details are pled by Mr. Ahmad to support a potential assault or a breach of his ***Charter*** rights. Further, Mr. Ahmad makes no effort to respond to the obvious fact that injunctive relief is not available to him on the scant facts pled according to s. 14(2) of ***The Proceedings Against the Crown Act***, C.C.S.M. c. P140;
- He is entitled to injunctive relief, orders of mandamus and/or damages for the suspension of his tobacco vendor’s licence for a thirty-day period in 2023 due to his possession of unmarked cigarettes and the refusal of Manitoba to return the seized cigarettes despite the fact that claims to this effect were previously dismissed with costs in matters CI 23-01-40073 and CI 23-01-40581; CI 23-01-40893, CI 23-01-42761, CI 24-01-48219, CI 24-01-48573, and CI 24-01-48677;
- He is not under a legal obligation to collect and remit RST to Manitoba under ***The Retail Sales Tax Act***, C.C.S.M. c. R130 (“***RSTA***”) and his repeated assertions to this effect in his statutory appeals under the provisions of ***The Tax Administration and Miscellaneous Taxes Act***, C.C.S.M., c. T2 (“***TAMTA***”), when the director issues assessments against him under the ***RSTA***; and

- He is entitled to astronomically high damages of \$10,000,000 as a result of the suspension of his tobacco vendor's licence, damages of \$200,000 for **Charter** violations, damages of \$77,000 as compensation for seized tobacco products; and injunctive relief for RST assessments; despite the fact that nearly identical claims were already struck in three earlier matters.

[29] Apart from the perineal claims that Mr. Ahmad keeps resurrecting after they have been dismissed, he also has brought actions or seeks damages for trivial matters such as:

- A failure by the Victim Services Branch to reimburse him for his parking fees;
- Registry Staff from refusing to accept his legal documents in sealed envelopes to avoid any pre-screening before they are filed; and
- Sheriff's Officers refusing to accept his sealed envelopes for delivery to Registry Staff.

[30] The pleadings filed by Mr. Ahmad and the Corporations must be struck for all these reasons. The details of my order to strike are confirmed at the end of these reasons.

VEXATIOUS LITIGANT ORDERS – FIRST PRINCIPLES

[31] A Vexatious Litigant Order ("VLO") serves as a "screening mechanism" or gatekeeping tool employed by judges to prevent the abuse of the court's process, while preserving the administration of justice.

[32] Historically, VLOs have been viewed as an extraordinary judicial remedy that should be designed to regulate, but not to extinguish, access to the court by a litigant.

(See ***College of Registered Nurses of Manitoba v. Hancock***, 2023 MBCA 70, at para. 71 ("***Hancock 2023 MBCA***"). ***Hancock 2023 MBCA*** teaches that VLOs can only

be granted in the clearest of cases, because “*fettering access to justice*” intrudes on “*a fundamental and ancient civil right*” (at para. 8).

[33] The primary policy objective of a VLO is to protect finite court resources and shield opposing litigants from harassment, chaos, and financial exhaustion. By diverting attention away from meritless litigation, VLOs allow the court to engage in the process of “*affording justice without unreasonable delay to genuine grievances*” (***Hancock 2023 MBCA***, at para. 3). Meritless litigation is more than a mere nuisance or an unfair imposition on opposing parties, it constitutes a drain on the limited resources of the court, that in turn limits the rights of legitimate litigants to timely justice. (See ***Unrau v. National Dental Examining Board***, 2019 ABQB 283, at para. 30.)

[34] ***Hancock 2023 MBCA*** calls for proactive and proportional approaches by courts in their responses to vexatious litigants. Courts do not need to wait until a litigant has caused actual harm before taking action; because “*prudence demands pre-emptive action*” when the misconduct of a vexatious litigant will likely cause damage to the integrity of the court process (at para. 13).

[35] Flexibility is also called for in how courts craft VLOs to protect the public interest because the litigation strategies of vexatious litigants come in all shapes and sizes, but at its core it is conduct that “*has no discernable basis in law*” and results in “*real harm to another or the system itself*” (***Hancock 2023 MBCA***, at para. 2). A flexible approach is necessary because some litigants may be sincere, but misguided, in advancing their claims in court, while others may engage in meritless litigation principally to intimidate or harm others. There are also cases that fall somewhere in between those two extremes.

Factors that Describe the Conduct of Vexatious Litigants

[36] ***Re Lang Michener v. Fabian***, 1987 CanLII 172 (ON SC), 37 D.L.R. (4th) 685 (Ont. High Ct. J.), provides a non-exhaustive review of the type of conduct that often marks the conduct of a vexatious litigant. ***Re Lang*** confirms that determining whether a litigant is vexatious is an objective assessment based on the “*whole history of the matter*” rather than a subjective determination of the litigant’s intent. The principles extracted from the existing case that are highlighted in ***Re Lang***, at p. 691, include:

- (a) the bringing of one or more actions to determine an issue which has already been determined by a court of competent jurisdiction constitutes a vexatious proceeding;
- (b) where it is obvious that an action cannot succeed, or if the action would lead to no possible good, or if no reasonable person can reasonably expect to obtain relief, the action is vexatious;
- (c) vexatious actions include those brought for an improper purpose, including the harassment and oppression of other parties by multifarious proceedings brought for purposes other than the assertion of legitimate rights;
- (d) it is a general characteristic of vexatious proceedings that grounds and issues raised tend to be rolled forward into subsequent actions and repeated and supplemented, often with actions brought against the lawyers who have acted for or against the litigant in earlier proceedings;
- (e) in determining whether proceedings are vexatious, the court must look at the whole history of the matter and not just whether there was originally a good cause of action;
- (f) the failure of the person instituting the proceedings to pay the costs of unsuccessful proceedings is one factor to be considered in determining whether proceedings are vexatious;
- (g) the respondent's conduct in persistently taking unsuccessful appeals from judicial decisions can be considered vexatious conduct of legal proceedings.

[37] The objective assessment of the “*whole history of the matter*” described in ***Re Lang*** has been given a broad and expansive interpretation by various courts. It has been interpreted to include the “*entire civil court record*” of a litigant.

(See **Tupper v. Nova Scotia (Attorney General)**, 2015 NSCA 92, at paras. 31- 32, which is cited with approval in **Green v. University of Winnipeg**, 2018 MBCA 137, at para. 34.)

[38] In **Bishop v. Bishop**, 2011 ONCA 211, leave to appeal to SCC refused, 34271 (20 October 2011), the whole history of the matter was interpreted to include the “*extra-judicial proceedings*” of a litigant. The Manitoba Court of Appeal in **Green** also cites the **Bishop** decision favourably (at para. 36-38).

[39] The non-exhaustive factors that describe vexatious litigants as noted in **Re Lang** were also cited with approval in:

- **Lindsay v. Canada (Attorney General)**, 2005 BCCA 594, which concludes the ultimate question for the court before granting a VLO is “*whether the litigant has taken himself over the line*” (at para. 26);
- **Liu v. Matrikon Inc.**, 2010 ABCA 383, which concluded that:

[19] From his conduct and statements there is a real risk that the appellant will continue to commence actions relating to his dismissed claims and attempt to re-litigate matters which have already been decided against him.

- **Olumide v. Manitoba (Human Rights Commission)**, 2020 MBCA 15, involved a litigant who was “*involved in no less than 67 reported legal proceedings in the last five years. These proceedings typically involve similar elements, raising substantially the same issues and grounds*” (at para. 7);
- **Saskatchewan Health Authority v. Patel**, 2021 SKCA 140, which notes that the **Re Lang** factors in an appellate context are “*not a checklist ... but*

rather, a non-exhaustive roster of relevant considerations to be weighed and balanced in determining whether a litigant has crossed the line" (at para 20).

- ***Hancock 2023 MBCA*** which teaches:

[69] As Kalmakoff JA noted in Patel, the factors mentioned in *Re Lang Michener* are "not a checklist or a list of pre-conditions" for a vexatious litigant order "but, rather, a non-exhaustive roster of relevant considerations to be weighed and balanced in determining whether a litigant has crossed the line" (at para 20; see also *Lindsay v Canada (Attorney General)*, 2005 BCCA 594 at para 26).

[70] There are clear safeguards to the vexatious litigant legislation that are worth pointing out. At the outset, as Howland CJO explained in *Foy*, that vexatious litigant legislation alters as opposed to extinguishes an individual's civil rights. It is a limited remedy. He stated (at p 348):

. . .

Vexatious proceedings legislation does not take away an individual's right to redress. Rather it provides that if an order is made against him under the legislation, he cannot seek redress until he has satisfied the proper authority that the proposed legal proceedings are not an abuse of the process of the Court and there is [a] *prima facie* ground for them.

. . .

- ***Turmel v. Canada***, 2023 FCA 140:

[8] The record on this motion shows that Mr. Turmel displays several of the hallmarks of a vexatious litigant. Among other things,

he has personally brought numerous meritless proceedings, almost all of which have been dismissed for reasons that include the absence of a reasonable cause of action, that they were scandalous, frivolous, and vexatious or an abuse of process;

he appeals virtually all of his litigation losses, and regularly seeks leave to appeal to the Supreme Court of Canada from the dismissal of his appeals, often seeking reconsideration when his leave to appeal applications fail;

he regularly attempts to re-litigate previously decided issues;

he uses pleadings to make unsubstantiated and intemperate remarks about other parties and the judges who dismiss his proceedings;

he disregards court orders, rules and timelines; and

he has numerous unpaid costs orders.

[40] In commenting on whether the conduct of a litigant has “*crossed a line*” as described in ***Lindsay***, the Newfoundland Court of Appeal concluded in ***Oleynik v. Memorial University of Newfoundland***, 2025 NLCA 22, leave denied 2025 CanLII 125325 (SCC), that care must be taken by a court to distinguish between a particular claim advanced by a litigant that is vexatious and vexatious conduct by a litigant that exceeds the boundaries of the particular claim:

[28] The difference between vexatious litigation and declaring a litigant to be vexatious is illustrated in *Ayangma v. Canada Health Infoway*, 2017 PECA 13, leave to appeal to SCC refused, 38030, 38031, 38032 (4 October 2018). In *Ayangma*, the Prince Edward Island Court of Appeal upheld a trial judge’s dismissal of a vexatious action but overturned the judge’s order restricting the litigant from initiating any new proceeding. The Court reasoned that because the litigant’s case that led to the appeal was at an end, there was no need to create a prospective bar to the litigant’s further access to the court or any tribunal. See also *Lindsay v. Canada (Attorney General)*, 2005 BCCA 594, where the court distinguished between vexatious litigation and a vexatious litigant:

[26] Each of these hallmarks [of vexatious litigation listed in *Re Lang Michener and Fabian*, 1987 CanLII 172 (ONSC)], the respondents submit, is present in this case. I do not disagree, but the ultimate question is whether the litigant has taken himself over the line. Drawing the line in any particular case is a matter of judgement reviewable only on the demonstration of clear error.

[Emphasis in the original]

[41] The judicial caution called for in ***Oleynik*** seeks to avoid the placement of undue restrictions on overzealous self-represented litigants who advance claims or defences in a particular case due to a lack of legal knowledge or the misunderstanding of the applicable legal principles. ***Oleynik*** teaches that a self-represented litigant crosses the line separating an overzealous litigation strategy from an abusive litigation strategy when they engage in a “*completely obsessive pursuit of their own litigation, taking it forward by one*

unmeritorious application after another and insisting that they should be afforded priority over other litigants" (at para. 53).

[42] The demarcation line described in **Oleynik** can be fairly described as the point at which the court is forced to move from managing the case before it to managing the litigant. The line in **Oleynik** was not crossed by the litigant due to an aggressive stance in an employment dispute, but rather because of the relentless filing of unmeritorious claims related to that employment dispute which included:

[80] ...

- ... an unwillingness to abide by Court orders and continually attempts to put matters that have already been decided back before the Court;
- ... conspiracies and unfounded allegations of misconduct and bias for which there is no evidential basis, and has repeatedly made these assertions to the Court as grounds for which the orders he seeks should be granted;
- ... [using] the judicial process to harass [the employer], its employees, and its counsel;
- ... [the creation] of a complex web of interrelated proceedings that serve no purpose other than to confuse and obfuscate [the litigant's] true intention: to waste public resources, and to harass [the employer];
- ... [willful defiance of instructions] from the Court that have attempted to control [the litigant's] abuse of Court processes;
- ... multiple accusations against Court staff and [the rejection] of explanations when provided. [Errors in filing were met with conspiracy allegation];
- ... repeatedly sending correspondence directly to judges overseeing his matters and not ceasing this practice when told of its inappropriateness;
- ... complaints to the Law Society with respect to counsel for [the employer], and has made repeated spurious claims of judicial bias, and has attempted to punish others through the institution of quasi-criminal proceedings; and,
- ... [behaving] disrespectfully before the Court, both to its judges and its staff. ...

Scope and Restrictions of the Order

[43] The common denominator of a VLO is a prohibition on a litigant from instituting any new proceedings, or continuing any existing proceedings, without first obtaining an order granting leave from the court. To obtain leave, the litigant must prove that the proposed claim is not an abuse of process and is based on reasonable grounds.

[44] A flexible response to vexatious litigants is required to provide for orders that are responsive to the problems or havoc that are created by a vexatious litigant. The foundational element of any VLO is that it must always be proportionate to the mischief or harm that needs to be remedied (*Unrau*, at para. 431).

[45] The caselaw shows a multitude of creative responses by judges to the problems that a vexatious litigant has created. The scope of a VLO can be broken down into the breadth of the litigation it covers, the forums it applies to, and the specific restrictions or preconditions it imposes on the litigant.

Orders with Restricted Scopes

[46] If the litigant's abuse is confined to a specific dispute or a set of historic targets, the VLO may be restricted so that leave is only required when claims are issued against specific individuals or parties (i.e., a former employer, government agency or opposing counsel) or when filing a specific type of action (i.e., injunctions against governments seeking to collect unremitted taxes) (*Unrau*, at paras. 797-799).

[47] In certain circumstances courts must impose broad restrictions from commencing *any* litigation against *anyone* (i.e., blanket orders). This blanket restraint is frequently necessary because Registry Staff cannot fairly be expected to interpret the substantive

boundaries of complex, narrowly tailored orders to determine if a new filing violates the restriction.

Orders pertaining to Tribunals

[48] A VLO's scope can extend across multiple administrative tribunals in order to prohibit a vexatious litigant from initiating or continuing proceedings in non-judicial administrative bodies and tribunals (i.e., human rights commissions or the boards of self-regulated professions) if the litigant has a history of abusive litigation against such bodies.

Tailored Pre-Conditions and Procedural Restrictions

[49] If a simple leave requirement is deemed insufficient, courts can expand the scope of a VLO to include strict pre-conditions and operational restrictions:

- **Mandatory Lawyer Representation:** The court may require that any application for leave, or any interaction with the court, only be submitted by a licensed lawyer. This forces a pre-submission screening of unmeritorious applications by chronic or serial abusive litigants who litigate to further unlawful activities or those who litigate purely to intimidate (*Unrau*, at para. 819).
- **Payment of Costs:** A VLO can dictate that a litigant is entirely barred from even applying for leave until they have paid all outstanding prior costs awards or posted security for costs. This addresses “economic warfare” by litigants who maliciously drive-up expenses for opponents with no intention of paying judgments (*Unrau*, at para. 828, citing *R. v. Grabowski*, 2015 ABCA 391, at para. 12).

- Strict Application Limitations: The VLO can strictly dictate *how* leave is requested. For instance, the order may limit applications to a strict page limit or require it be submitted in a sealed envelope via ordinary mail, and mandate that the application include sworn affidavits disclosing all past lawsuits and unpaid costs. (See ***College of Registered Nurses of Manitoba v. Hancock***, 2024 MBKB 170 ("***Hancock 2024 MBKB***"), at para. 39.)

Physical and Operational Restrictions

[50] The scope of a VLO can also restrict the litigant's physical and operational interactions with the justice system to protect court staff and preserve resources:

- Physical Courthouse Bans: In extreme cases involving threatening, unusual, or disruptive behavior, the VLO may prohibit the litigant from physically entering the courthouse except when they are scheduled to appear in court or have a security escort. (See ***Unrau***, at paras. 839-840, citing ***Prefontaine v. Canada***, 2004 FCA 529, 318 N.R. 306; ***Prefontaine v. Canada***, 2004 TCC 775, 2005 D.T.C. 33; ***Manitoba (Attorney General) v. Lindsay***, 2000 MBCA 11, 145 Man. R. (2d) 187.)
- Communications Restrictions: The VLO can limit how the litigant communicates with the court registry, explicitly banning phone calls or in-person visits to the registry counter and restricting them to written communication via a designated email address. See ***Unrau***, at para. 864:

[864] In some instances the Court has imposed restrictions on the manner in which a litigant communicates with the Court and its staff. The usual reason for this step is an established pattern of abusive, excessive, harassing, threatening, or otherwise inappropriate communication. Court clerks are particularly vulnerable to this form of

abuse given their obligation to serve the public. As Justice Shelley observed in *Alberta Treasury Branches v Hok*, 2019 ABQB 196 at para 10 [*ATB v Hok #2*]:

The Court Clerks serve a critical function as part of the administration of justice in this province. They are the front line of the Alberta Court of Queen's Bench. They are required to assist litigants and others who have business with the Court. However, the obligation to provide these services to the public does not extend to them being bullied, abused, or otherwise mistreated in an unfair and unprofessional manner.

I agree. Protecting court staff is not only an aspect of the Court's inherent jurisdiction to control its processes, but also reflects Alberta policy against abuse and bullying, and providing government workers a safe workspace.

(See also *College of Registered Nurses of Manitoba v. Hancock*, 2026 MBCA 15 ("Hancock 2026 MBCA").)

VLO – ANALYSIS AND CONCLUSION

[51] The governing legislation in Manitoba applicable to vexatious litigants is s. 73 of *The Court of King's Bench Act*, C.C.S.M. c. C280 (the "**Act**").

[52] Section 73 of the **Act** provides:

Order restraining vexatious litigant

73(1) If a judge is satisfied that a person has persistently instituted vexatious proceedings or conducted proceedings in a vexatious manner, the judge may order that

(a) the person must not institute a further proceeding; and

(b) any proceeding already instituted by the person must not be continued;

except with leave of a judge.

Restriction par ordonnance des plaideurs quérulents

73(1) Le juge qui est convaincu qu'une personne introduit constamment des instances vexatoires devant le tribunal ou conduit constamment une instance d'une manière vexatoire peut ordonner qu'elle n'introduise aucune autre instance ou qu'une instance qu'elle a introduite ne soit pas continuée, sans l'autorisation d'un juge.

Obtaining order	Procédure d'obtention de l'ordonnance
73(2) An order under subsection (1) may be made	73(2) L'ordonnance visée au paragraphe (1) peut être rendue :
(a) on the judge's own motion; or	a) soit par le juge de son propre chef;
(b) on application by	b) soit sur requête présentée par :
(i) a party against whom the alleged vexatious proceedings have been instituted or conducted, or	(i) une partie contre laquelle les instances prétendument vexatoires sont intentées ou continuées,
(ii) any other person, with leave of a judge.	(ii) toute autre personne, avec l'autorisation d'un juge.

[53] In assessing whether the conduct of a litigant is vexatious, the law imposes an objective rather than subjective standard. This is confirmed in **Green**:

[27] Whether a proceeding is vexatious is a matter to be determined by objective rather than subjective standards No one list of factors is exhaustive and no one factor is determinative. Nor is it necessary that all of the factors listed in the cases be present (see *Bossé c Caisse Populaire Acadienne Ltée*, 2018 CarswellNB 299 at para 35 (CA)). Rather, it is a holistic determination taking into consideration a variety of factors.

[Citations omitted]

[54] It is beyond question that Mr. Ahmad is engaging in a comprehensive litigation strategy that has created havoc for certain targeted parties, namely Winnipeg, Manitoba and Canada, by forcing them to spend exorbitant amounts of time and public resources to keep defending the barrage of frivolous and vexatious claims Mr. Ahmad keeps filing.

[55] The refusal of Mr. Ahmad to reconsider his frenzied pursuit of his claims that contain no reasonable cause of action must be brought to an end to protect the integrity of the system of justice. The long history of dismissed claims that are then repackaged

and relaunched by Mr. Ahmad certainly justifies a broad and comprehensive vexatious litigant order in my view.

[56] The sheer volume of actions filed by Mr. Ahmad and the Corporations, and their tendency to repeat and repackage claims or allegations that were previously dismissed, is clearly the type of conduct that “crosses the line” between an overzealous litigation strategy and an abusive one.

[57] It is the conduct of Mr. Ahmad that must be managed, rather than his overzealous legal strategy in one particular case. The actions before me are not about the vindication of legitimate legal claims, but rather grievances that the law does not recognize or offer relief for.

[58] Mr. Ahmad is an outlier as far as serial filing vexatious litigants are concerned, because he has made a point of paying every award of costs that has been issued against him over the years. These cost awards have been significant but have not served as a deterrent to Mr. Ahmad’s relentless pursuit of his meritless claims. I do not see any alternative but to issue a VLO on the facts before me because Mr. Ahmad has demonstrated that he is unable or unwilling to learn from this many previous failed efforts to litigate his disputes with Winnipeg, Manitoba and Canada.

[59] Another fact that places Mr. Ahmad in the outlier category, is his exemplary behaviour in the courtroom. Throughout the entire case management process and again during oral argument in this matter, Mr. Ahmad was unfailingly polite and courteous to me and to opposing counsel. Mr. Ahmad was also punctual for all of his appearances in court and did not miss any filing deadlines.

[60] Be all that as it may, Mr. Ahmad's conduct to Registry Staff was not exemplary. Mr. Ahmad does not typically accept the rejection of his documents by Registry Staff when they are found to be deficient in some way and he often becomes argumentative or demands that the deputy registrar reconsider the rejection. At times Mr. Ahmad does not step away from the Registry desk when asked to do so, in order to persist with his arguments that his documents were properly drafted when they clearly were not.

[61] In response to repeated rejections, Mr. Ahmad decided to courier his documents to the courthouse through his courier business and he would simply drop his previously rejected pleadings and affidavits in sealed envelopes at the designated courier drop off location at the court Registry Office. When these previously rejected documents were then rejected yet again, Mr. Ahmad resorted to providing sealed envelopes with his rejected documents to Sheriff's Officers at the security desk in the courthouse with a request that they be dropped off at the Registry desk. When the Sheriff's Officers realized they were being manipulated by Mr. Ahmad in this way, they refused to comply with his requests.

[62] Mr. Ahmad claims \$100,000 in damages for the inconvenience of having to stand in line at the Registry desk to file his documents and not having the opportunity to drop them off in sealed envelopes to avoid any screening by Registry Staff before filing. The insistence of demanding special treatment or priority service are hallmarks of vexatious litigants. This kind of disrespectful behaviour to court staff represents an increasing concern to judges of this court.

[63] The Registry Staff and indeed all staff who work anywhere in the Law Courts Building are entitled to a safe and respectful workplace. They should not be treated

as customer service agents who are obliged to satisfy the whims of members of the public who attend at the courthouse for whatever reason. (See ***Green Harbour Financial Inc. et al. v. Wang et al.***, 2025 MBKB 117, at para. 77.)

[64] Mr. Ahmad is also an outlier as a vexatious litigant, because he declined an opportunity to present oral argument at the hearing of this matter. This is highly unusual in my experience.

[65] When I pressed Mr. Ahmad on why he was declining his opportunity to make oral submissions, he indicated he was satisfied with his written briefs. When I questioned him as to why he repeatedly advanced positions and arguments that were rejected by other judges who struck his pleadings, Mr. Ahmad seemed puzzled as to why I would ask that kind of question. The response offered by Mr. Ahmad was that he had paid the costs awards in the previous actions, so there should be no limit on what kinds of arguments he would like to raise in subsequent court filings.

[66] Ultimately, it seems to me that Mr. Ahmad was content to rely on his right to continue filing claims against the various levels of government simply because he had a fundamental right to do so. In a sense, Mr. Ahmad seems to think that coming to court is like boarding a public transit vehicle. As long as he pays the fare, he is entitled to take a ride.

[67] Mr. Ahmad's understanding of cost awards is fundamentally flawed for several reasons. First and foremost is that cost awards do not reflect the full extent of the financial burden imposed on opposing litigants by abusive litigation. Further, it must be noted that cost awards cannot satisfy the true costs that the public purse expends on the construction, maintenance and operations of court facilities. Most importantly, as

the caselaw makes abundantly clear, cost awards cannot compensate other litigants who are seeking vindication of a legitimate legal right and cannot be offered timely court dates.

[68] Based on the legal arguments presented to me by Mr. Ahmad, I cannot determine the full extent of his reasons for pursuing his vexatious conduct as a litigant in this court. For whatever reason, Mr. Ahmad has forged his misguided legal claims on the anvils of a deeply held sense of grievance or entitlement that are not a recognizable part of a legal system committed to fairness, impartiality and the rule of law. In the circumstances, a firm response from this court that it will protect itself and the targeted parties from vexatious litigation is the only option open to me.

ORDER

[69] I am ordering the following.

Striking of Actions

[70] All of the within actions will be struck as an abuse of process, other than Matter #7 (CI 25-01-52266), which is a statutory appeal under s. 112.3(1) of **TAMTA** and Matter #3 (CI 25-01-51048) which is Winnipeg's application for a VLO.

[71] Mr. Ahmad, the Corporations or anyone acting on their behalf shall not file any documents seeking an order to refile or continue any of the struck actions.

VLO

[72] I am also ordering that:

- Mr. Ahmad be declared to be a vexatious litigant in this court;

- This VLO binds Mr. Ahmad personally and shall also be binding on the Corporations shown as litigants in these actions and any assignees of Mr. Ahmad and the Corporations;
- This VLO also binds any other corporation in which Mr. Ahmad is listed as an officer, director or shareholder and to any non-incorporated business, entity, including but not limited to a sole proprietorship or partnership, in which Mr. Ahmad holds a financial interest or equitable share (the "Vexatious Parties");
- Mr. Ahmad or anyone acting on his behalf or on behalf of the Vexatious Parties, shall not file any documents advancing legal claims or asserting rights or seeking any other kind of relief in law or equity against Winnipeg, Manitoba or Canada or any of their officers, agents, employees, assistant deputy ministers, deputy ministers or ministers or any elected members of any of these levels of government (the "Targeted Parties") at any Court of King's Bench Registry Office in Manitoba (the "Restricted Claims") without first filing an order under the signature of a judge of this court permitting him to do so;
- The Restricted Claims shall also include and apply to any claim against a person, party or corporation that may seek indemnity or contribution from the Targeted Parties;
- The Restricted Claims shall also include and apply to any claims brought by Mr. Ahmad or anyone on his behalf or on behalf of the Vexatious Parties against any administrative body, statutory tribunal, regulatory body or governmental

- operating agency created through by-law, or statute, including but not limited to the Manitoba Public Insurance Corporation and Canada Post Corporation;
- The Restricted Claims shall also include and apply to any claims brought by Mr. Ahmad or anyone on his behalf or on behalf of the Vexatious Parties against any person, party, entity or corporation that may seek indemnity, contribution or some other relief against the Targeted Parties at any Court of King's Bench Registry Office in Manitoba unless an order under the signature of a judge of this court permits such action;
 - The Restricted Claims shall not include:
 - i. applications that are limited to appeals of a government body or agency expressly permitted by statute;
 - ii. to any application Mr. Ahmad may wish to bring to rescind this Vexatious Litigant Order as permitted by the ***Act***; and
 - iii. to Matter #7 (CI 25-01-52266) which has not been struck.
 - Any Restricted Claims that may be filed by Mr. Ahmad or on his behalf or on behalf of the Vexatious Parties without advance authorization by a judge of this court shall be immediately stayed as against any Targeted Party by the filing of a requisition by any named litigant or their counsel and filing a true copy of this order at the applicable Manitoba Court of King's Bench Registry Office;
 - Mr. Ahmad or anyone on his behalf or on behalf of the Vexatious Parties may seek leave to advance fresh claims seeking further or other relief against the Targeted Parties, provided all of the following conditions are met:

- i. A Statement of Claim or Notice of Motion or Application (the "Legal Document") without a return date (if applicable) and without notice to the opposing parties named in the Legal Document, has been submitted directly to my attention or to some other Justice of the Court that the Chief Justice or Associate Chief Justice may designate, in a sealed envelope forwarded to 226-408 York Avenue, Winnipeg, Manitoba, R3C 0P9 by ordinary mail;
- ii. The Legal Document shall set out in five pages or less the basis on which the proposed legal claims are being advanced;
- iii. The sealed envelope shall also include a sworn affidavit from Mr. Ahmad that is no longer than five pages, outlining the facts relied upon to justify the proposed proceedings described in the Legal Document. The affidavit must also confirm that any outstanding awards for costs against Mr. Ahmad or other parties bound by the VLO have been satisfied;
- iv. Provided that the justice of the Court of King's Bench, after reviewing the Legal Document and affidavit, issues an order under their signature permitting the filing of the Legal Document and affidavit, it may be submitted to a Manitoba Court of King's Bench Registry Office for filing upon payment of the prescribed fee and then served on the opposing parties described in the Legal Document;
- v. The service of the Legal Document and affidavit on opposing parties authorized by a signed order must be made in accordance with the provision for personal service as set out in the **KBR**, and must also

include service of a copy of this order, failing which service shall be deemed invalid;

- vi. Registry Staff are authorized to reject any documents submitted by or on behalf of Mr. Ahmad or any other parties bound by the VLO if they determine that any such documents are non-compliant with this VLO, the ***Act***, the ***KBR*** or an order or direction of this court;
- vii. Mr. Ahmad may contact the Registry Office only by email (KBreception@gov.mb.ca) no more than once a week in order to ask questions of the Registry Staff concerning the status of an intended or existing proceeding; in the event the email does not relate to the foregoing, Registry Staff is authorized to stop email communication;
- viii. Mr. Ahmad will not directly contact any judge or judicial assistant of this Court by email, phone or any other form of communication;
- ix. Registry Staff shall report any violations of this VLO to this court so that decisions can be made with regard to any further orders or actions that might be made;
- x. Mr. Ahmad will not be permitted to appear personally at any Court of King's Bench Registry Office in Manitoba to discuss the commencement or continuation of any legal proceeding directly or indirectly connected to the Restricted Claims;
- xi. In the event Mr. Ahmad wishes to bring an action that is not a Restricted Claim, as defined herein, or if he is named as a defendant or respondent in an action in this court, or continue his actions in Matter #7

(CI 25-01-52266) he will be entitled to attend at the appropriate Registry Office for the sole purpose of filing a pleading or other document as permitted by the King's Bench Rules provided and on condition that he has had any such document vetted and approved in advance by me or a judge otherwise assigned to this matter; and

- xii. The draft documents or matters that are not Restricted Claims or relate to a defence or are a response to an application, must be sent to me or a judge otherwise assigned, via Canada Post Corporation by pre-paid mail at 226-408 York Avenue in Winnipeg, Manitoba, R3C 0P9 for vetting and approval. If a justice of this court approves the documents for filing after review, the justice will issue a letter to Mr. Ahmad designating a specific period of time in which he will be permitted to attend at the King's Bench Registry Office to file the documents.

COSTS

[73] The parties can make written submissions as to costs if they cannot agree. Winnipeg, Manitoba and Canada shall file and serve their written submissions first and thereafter Mr. Ahmad will mail his written submissions by ordinary mail within 28 days to my attention, in duplicate, at the Law Courts Building, 226-408 York Avenue, Winnipeg, Manitoba, R3C 0P9, and I will arrange for the filing of same and the production of a copy to opposing counsel. No reply brief will be filed by Winnipeg, Manitoba or Canada.

Rempel J.