# Court of King's Bench of Alberta

**Citation: Duthie v AMH Joint Venture Corporation, 2026 ABKB 737**

**Date:** 20261022
**Docket:** 2601 09283
**Registry:** Calgary

2026 ABKB 737 (CanLII)

Between:

**Ryan Duthie, Shane Duthie, Sean Duthie, Faron Duthie, Rachel Leblanc, Tara Johansen, Brittney Rattray**

Plaintiffs

- and -

**AMH Joint Venture Corporation, Steve St. Louis, Janelle St. Louis, Douglas Van Verdegem, Karen Van Verdegem, Kyle Ravesloot, Krysta Ravesloot**

Defendants

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**Vexatious Litigation Notice**
**of the**
**Honourable Associate Chief Justice D.B. Nixon**

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[1] On May 21, 2026, the Plaintiffs filed a Statement of Claim in Action No. 2601 09283 naming the Defendants. On June 12, 2026, Mr. Ryan Duthie ("Mr. Duthie"), on behalf of the Plaintiffs filed an Application in the matter, in which he sought, amongst other things, a trial date, to call witnesses, and protection of property "that has been promised".

[2] On June 30, 2026, Counsel for the Defendants wrote to the Court requesting a review of the Statement of Claim and Application under Civil Practice Note 7 ("**CPN7**").

[3] Counsel for the Defendants asserts the CPN7 process is appropriate because, on its face, the pleadings are materially deficient and disclose no reasonable cause of action. They argue this is the circumstance because the pleadings fail to identify and name the Defendants, plead no facts, and seek remedies the Court has no jurisdiction to grant. They also argue that the claims in

Action No. 2601 09283 are largely the same as those advanced by the Plaintiffs in Action No. 2501 14857. That Action was dismissed on November 7, 2025. On this basis, Counsel for the Defendants seeks an order that directs the "Vexatious Litigant should be barred from any further applications in any proceeding, except with leave of the Court."

[4] On July 6, 2026, Mr. Duthie brought the Application filed June 12, 2026 in Justice Chambers. Pursuant to an Order granted by Justice Devlin, Action No. 2601 09283 was dismissed. Justice Devlin's Order also barred Mr. Duthie from commencing any further proceedings against the named parties, their counsel, Dentons Canada LLP, or the municipalities identified in the Action No. 2601 09283 without first obtaining leave of the Court.

[5] Notwithstanding this Order, on September 1, 2026 Mr. Duthie filed a new Application in which he sought the same relief as in the prior-filed Application. Amongst other things, he argued that there was a verbally "willed" property, that he has a "true project" for the property, and that Justice Devlin "lied last meeting". On September 21, 2026, Justice Davis dismissed the Application because the matter had already been considered by Justice Devlin.

[6] On the Court record, there have been other litigation matters amongst the parties, including a restraining order application that was granted to certain of the Defendants against Mr. Duthie.

[7] On September 23, 2026, Counsel for the Defendants wrote to the Court. In that letter, Counsel seeks direction as to the appropriate response to any further matters commenced by Mr. Duthie against the Defendants.

[8] CPN7 sets out summary procedures, using rule 3.68 of the *Alberta Rules of Court*, Alta Reg 124/2010, for review and assessment of a "claim, defence, action, application, or proceeding that appears on its face to be frivolous, vexatious, or otherwise an abuse of process". The process allows the Court, in appropriate circumstances, to assess and manage deficient claims, including to dismiss meritless claims where there is no prospect of success: ***Wilyman v Cole***, 2024 ABCA 41; ***De'Medici v Wawanesa Mutual Insurance Company***, 2023 ABKB 210.

[9] Given the Court has now reviewed and determined the Statement of Claim and Applications issued by Mr. Duthie in Action No. 2601 09283, there are no pleadings for the Court to review under the CPN7 process.

[10] However, Counsel for the Defendants may be seeking a formal declaration that Mr. Duthie meets the criteria for a vexatious litigant order. Sections 23-23.1 of the *Judicature Act* provide a process separate from CPN7 for the Court to proactively respond to litigants who are instituting vexatious proceedings or conducting proceedings in a vexatious manner.

[11] Pursuant to section 23.1(1) of the *Judicature Act*, where a Court is satisfied that a person is instituting vexatious proceedings in the Court or is conducting proceedings in a vexatious manner, the Court may order that: (a) the person shall not institute further proceedings or institute proceedings on behalf of any other person; or (b) proceedings instituted by the person may not be continued, without the permission of the Court.

[12] Section 23(2) of the *Judicature Act* sets out circumstances which may be considered if a party is instituting vexatious proceedings or conducting proceedings in a vexatious manner. The common theme of these circumstances is persistence, meaning that a litigant's conduct is continuously troublesome. Some examples of such conduct include persistently bringing proceedings: (a) to determine an issue that has already been determined; or (b) that cannot

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succeed or that have no reasonable expectation of providing relief. Persistence is a necessary finding under the statute because such continuity is supportive of the "inference that past behaviour is predictive of future behaviour": ***Jonsson v Lymer***, 2020 ABCA 167 [***Lymer***] at paras 21, 38.

[13] The objective of the *Judicature Act* provisions is not punitive, but rather responsive to prior and current vexatious proceedings by preventing future misconduct. Even if the presence of vexatious litigation conduct is established, the Court of Appeal of Alberta has confirmed that the decision to impose a vexatious litigant order under sections 23-23.1 of the *Judicature Act* is discretionary and extraordinary: ***Stubicar v JEMM Sunnyside Ltd***, 2023 ABCA 326 at para 40.

[14] Vexatious litigant orders are extraordinary because they are the most serious of court access restrictions, intended only for situations where other court access restrictions, such as procedural orders, case management orders, and sanctions have proved ineffective: ***Lymer*** at paras 12-16. In the present circumstance, Justice Devlin's Order is intended to prevent Mr. Duthie from commencing any further proceedings against any of the named Defendants, their counsel, or the municipalities identified in the Action No. 2601 09283 without leave of the Court.

[15] It is unclear whether Mr. Duthie was confused by Justice Devlin's Order and its effect on his intended litigation action, or whether he was actively attempting to evade its terms. I infer the latter because Mr. Duthie appears to be attempting to bring additional applications hoping for a different result. Mr. Duthie is reminded that failing to follow a Court Order can result in a finding of civil contempt of Court, and associated punishments such as imprisonment and financial penalties: rules 10.51-10.53.

[16] Given the above context, I direct the following as the next steps.

a. The Clerk will file and serve this Vexatious Litigation Notice ("**Notice**") on Mr. Duthie, the other Plaintiffs, and the Defendants.

b. If Mr. Duthie wishes to respond to this Notice, he must prepare a Written Submission of no more than 10 pages. If he should wish, he may support his submissions with affidavit evidence. In his submissions, he may wish to address the allegation that he is instituting vexatious proceedings in the Court, and/or is conducting proceedings in the Court in a vexatious manner. In particular, he may wish to address the following questions:

    i. Mr. Duthie appears to have directly and knowingly contravened Justice Devlin's Order in bringing his second Application. Mr. Duthie may wish to explain this course of action.

    ii. Mr. Duthie may wish to explain why he believes it was appropriate to commence a claim in the present Action No. 2601 09283 notwithstanding that his claim in Action No. 2501 14857 sought similar relief and was subsequently dismissed. Although the Court has found that the Actions commenced by Mr. Duthie have no merit, rather than seeking appeal, if that route may be available to him, Mr. Duthie appears to double down stating that Justices of this Court are "lying". Mr. Duthie may wish to clarify his litigation strategy.

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iii. Mr. Duthie may wish to explain how he has authority to act for the other named Plaintiffs in his claims. Similarly, he appears to be representing himself as a leader for the "people in the communities involved". Mr. Duthie may wish to clarify his role and authority.

iv. The root of Mr. Duthie's grievances relates to an alleged broken "promise" between him and his father, Larry Duthie. Mr. Duthie may wish to provide an explanation for why he has not discussed the matter with his father, who appears to have sold the lands at issue to a *bona fide* third-party purchaser.

c. Mr. Duthie's submissions, if any, shall be sent to the following addresses:

i. The office of Associate Chief Justice D.B. Nixon, located at the Calgary Court Centre, 601 – 5th Street SW, Calgary, Alberta T2P 5P7, marked "To the attention of Associate Chief Justice D.B. Nixon";
ii. The address for service of the other Plaintiffs; and
iii. The addresses of service for the Defendants in Action Nos. 2501 14857 and 2601 09283.

d. Upon receipt of any written argument and affidavit evidence filed by Mr. Duthie, the Defendants shall have the opportunity to deliver a written reply, if any, within 15 days. Such reply should directly respond to the arguments and affidavit evidence, if any, of Mr. Duthie. The Defendants may also wish to clarify whether they are in fact pursuing formal declaration that Mr. Duthie meets the criteria for a vexatious litigant order pursuant to sections 23-23.1 of the *Judicature Act*. If so, the Court requests clarification as to whether the required Notice to the Minister of Justice has been given pursuant to section 23.1(1) of that statute.

e. The Plaintiffs, other than Mr. Duthie, if they should wish, are invited to make any submissions concerning Mr. Duthie's purported representation of them in the litigation before the Court in Action Nos. 2601 09283 and 2501 14857. The Court understands that the Plaintiffs other than Mr. Duthie may not be aware of his litigation activity, including naming them as Plaintiffs, and they may wish to make submissions on this issue.

f. I encourage Mr. Duthie to seek legal advice and assistance. If he cannot afford to hire a lawyer, he may wish to contact Calgary Legal Guidance at (403) 234-9266. The cases cited above, as well as the *Judicature Act* and *Alberta Rules of Court* can be accessed for free on https://www.canlii.org/.

[17] Upon receipt of submissions, if any, the Court will consider whether it is appropriate to impose any further restrictions on Mr. Duthie's litigation activities in this Court. In the meantime, Mr. Duthie is reminded that Justice Devlin's Order remains in place indefinitely.

**Dated** at Calgary, Alberta this 22nd day of October 2026.

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**D.B. Nixon**
**A.C.J.C.K.B.A.**

**Appearances:**

Sophie Lorefice – Written Submissions
Dentons Canada LLP
for the Defendants

Ryan Duthie – None
one of the Plaintiffs

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