Twitter Thread by Dr. Ubaka Ogbogu

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Here we go. The Judge is rendering her decision on the "Cancelling Christmas" case.

Judge making important note that they are seeking an interlocutory order - a quick and temporary decision on the issues pending full consideration by the court at a later date.

Think of it as "let's put out the fires first before we sit down to talk about how this fire started."

Judge says first step of granting interlocutory order - whether there is a serious issue to be tried - is satisfied. Nothing strange here - judge's analysis on this is sound.

Judge addressing evidence presented by applicants in support of the claim that their Charter rights have been infringed. Lots of lawyer stuff but gist is this is trending towards accepting some of the evidence because we are dealing with burning houses here.

Let's just pause a minute here to recognize and applaud Justice Kirker. Tough job to assess all that was said this morning and produce a decision in a few hours. This stuff matters regardless of where you stand on the issues. Carry on.

Another sidenote: It is interesting that those who have argued that @CMOH_Alberta is not an independent decision-maker under Alberta law are now suing her as an independent decision-maker under Alberta law.

Second part of the test - this one looks at whether the applicants will suffer "irreparable harm" if the judge does not grant the interlocutory order. Put simply, if we don't put out the fire, will the applicants lose things they can never get back?

Irreparable harm not made out for most of the claims. More later.

Next, balance of convenience test. This is basically where public interest is factored in. This is the key part. Court considers whether there will be harm to public interests if the order is granted. This is where "our" interests are considered.

This is a tough one for the applicants to meet. If the government's orders serve the public good, the court will uphold it.

The Judge is repping @CMOH_Alberta now and is interpreting s. 29!

@Lorian_H - we have a judicial reading of s. 29 and we are right!!!!!

Judge says @CMOH_Alberta has broad authority to issue orders re s. 29. Eat that, advisory people.

Okay, back to issues at hand - Judge dismisses attempt to undermine @CMOH_Alberta's clear statutory authority to deal with a pandemic.

We are on the home stretch now. Public good is going to prevail. As it should.

Injunction schmunjunction. DISMISSED. byE