

FEDERAL COURT OF CANADA

BETWEEN:

Radu Hociung

Plaintiff

and

**Minister of Public Safety and Emergency Preparedness
and
Canada Border Services Agency
and
Her Majesty the Queen in Right of Canada**

Defendants

LETTER TO THE COURT

Re: Consideration by a different judge, request for “case management” teleconference

Radu Hociung
246 Southwood Drive
Kitchener, Ontario
N2E 2B1
Tel: (519) 883-8454
Fax: (226) 336-8327
email: radu.cbsa@ohmi.org

TO:

The Registrar
Federal Court of Canada
180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

AND TO:

Eric Peterson, Counsel to the Defendant
DEPARTMENT OF JUSTICE
Ontario Regional Office
120 Adelaide Street West
Suite 400
Toronto, Ontario
Tel: (647) 256-7550
Fax: (416) 973-5004

April 20, 2020

Honourable Court,

Further to the Plaintiff's 1st request for a case management teleconference dated March 4th, 2020, and to the 2nd request dated March 12, and to the 3rd request dated March 25, 2020, the Plaintiff requests that the proceeding be reviewed by a different judge than Mr. Gleeson, and that the two outstanding motions (Summary Judgement and Amendment of Claims) be considered at the earliest opportunity by a judge other than Mr. Gleeson.

The Supreme Court has informed the parties that a judgment on the Application for Leave to Appeal in its file # 39018 will be rendered on April 23, 2020. This is the event that Mr. Gleeson required in his March 2, 2020 order as a condition for a "case management" teleconference being scheduled. In his order, Mr. Gleeson also speculated that an appeal with the Supreme Court would be started by the Plaintiff upon the Application for Leave to Appeal being granted. This speculation is baseless, and the Plaintiff hereby reiterates the notice given to the Federal Court that he will not be commencing an Appeal in the Supreme Court upon judgment of the Application for Leave to Appeal. Therefore there are no further events that the Federal Court can use as excuse to stall this proceeding.

The plaintiff requests the Honourable Court:

1. Schedule a "Case Management" teleconference, as per Mr. Gleeson March 2, 2020 order, at its earliest convenience, or,
2. Lift the stay of the proceeding on the basis that it is ill-ordered, not pursuant the Rules of the Court or any Act of Parliament, and,

3. Determine the Summary and Amendment motions without delay.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Hociung'. The signature is fluid and cursive, with a large 'R' and a stylized 'H'.

Radu Hociung - Plaintiff