

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: Status of motions to amend claim and motion for summary judgement

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TO:

The Registrar
Federal Court of Canada
180 Queen Street West
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Toronto, Ontario
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February 14, 2018

Honourable Court,

I am writing to enquire about the status of two motions in this proceeding, which have been filed approximately a year ago.

On 20 February 2017, the Plaintiff filed a motion for leave to amend the Statement of Claim. In response, on 1 March 2017, the Defendant filed his own Motion seeking Summary Judgement. At the time the file was under case management, however case management ceased on 18 December 2017 at the request of the Plaintiff (by motion, decided 14 December, 2017) due to these same motions having been lost or misplaced several times (March, June and October of 2017).

The record shows that these motions were sent to the Court for “directions re filing” 3rd of April 2017, and for “disposition” on 14 June 2017, and again on 23 October 2017.

At the final Case Management Conference on 18 December 2017, Mr Prothonotary Aalto informed the parties that a decision on the two motions was “imminent”.

The proceeding has been stalled for the last year while waiting for an outcome of these two motions, while resources are being consumed by both parties and the Court in

I would be grateful for any insight you can provide regarding the status of these motions.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Hociung'.

Radu Hociung - Plaintiff