

Federal Court



Cour fédérale

Date: 20200609

Docket: T-1450-15

Ottawa, Ontario, June 9, 2020

PRESENT: The Honourable Mr. Justice Gleeson

BETWEEN:

RADU HOCIUNG

Plaintiff

and

**MINSTER OF PUBLIC SAFETY
AND EMERGENCY PREPAREDNESS**

Defendant

DIRECTION

FOLLOWING the case management conference held by teleconference on Thursday,
June 4, 2020 at 1:00 PM (Eastern);

THIS COURT DIRECTS that:

1. The Parties, after having conferred with each other, are invited to serve and file further written submissions for the Court's consideration, identifying the common positions and points of disagreement between the Parties, in respect of the following subjects:

- a) the binding nature of the Federal Court of Appeal's decisions in 2019 FCA 214 and 2019 FCA 215 [FCA Decisions], with reference to the legal authority in support of the position taken;
 - b) what, if any, specific paragraphs of the amended statement of claim, are to be struck;
 - c) the Plaintiff's claim for damages, in light of the FCA Decisions; and
 - d) the Plaintiff's claim for declaratory relief, with reference to the legal authority for the position taken.
2. Noting the Defendant's November 29, 2019 submissions, the Defendant is invited to clarify its position on the motions, and in particular whether or not it is pursuing the motion for summary judgment with respect to the Plaintiff's claim alleging threats of violence.
3. Further submissions shall not exceed ten (10) pages.
4. The Plaintiff's further submissions are to be served and filed not later than June 17, 2020.
5. The Defendant's further submissions are to be served and filed within five (5) days of being served the Plaintiff's further submissions.
6. The Plaintiff may serve and file a five (5) page reply within three (3) days of being served the Defendant's further submissions.

7. The Parties are to identify dates and times of mutual availability—not earlier than June 25, 2020—to participate in an oral hearing to be conducted by video conference and to last not more than 90 minutes.

“Patrick Gleeson”

Judge