Court File: T-1450-15

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: Direction regarding SCC filing

Radu Hociung
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TO:

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

Re: Direction regarding SCC filings

Dear Registrar, Mr. Gleeson,

On January 13, 2020, you have forwarded to the parties by fax a direction from Mr. Gleeson. This letter is the plaintiff response.

Dear Registrar, it is not apparent that your direction is pursuant any Rule of the Federal Court, it is however disturbing that you accepted it from Mr. Gleeson, given that it doesn't reference any Rule, and that the language within it is as awkward as it is. What if he requested you to modify, add or delete files from the record, or forge signatures? What is your threshold for questioning the legality of the directions you receive?

On October 30, 2019 and November 14, 2019, Mr Gleeson embarked on a fishing expedition, directing the parties to file “additional representations” to “allow for reconsiderations”. These directions were also not pursuant any Rule, nor the Federal Court of Appeal's orders, however I was curious to learn where they lead, so I played along by arranging with the other party to provide some additional representations, as requested.

Following up on the requested filings, Mr. Gleeson is now seeking proof that would, in his view, enable him to stay the proceeding, accommodating the defendant's wishes. According to the Rules of the Court, he does not have the power to conduct any such research, but is limited to rulings based on the record before him. Furthermore, the Rules require all stays be requested by means of motion, however, none of the parties have made any such motion.

Mr Gleeson,

Your judgment on the summary motion was set aside by the FCA for not following Rules 101 and 106. On that motion, you planted evidence, and used it as the sole determining evidence in order to rule in favour of the defendant. You are now conducting research not permitted by

the Rules, in order to once again favour the defendant with a stay that he is wishing for, but has not requested as required by the Rules, by means of motion.

I note that Rule 60 allows you to help your favoured party by drawing their attention “to any gap in the proof of its case”, and “permit the party to remedy it”, so you should have advised the defendant that the presence of the “money” definition in the ETA seems to be a gap in their case, rather than plant it as if it were evidence adduced by them. Rule 60 also requires you to consider what are just conditions for allowing the remedy, ie, allowing the opposing party to make representations. By all means, give them all the advice you want, but do it within the terms allowed by the Rules.

Although I have the information you seek, ie, authoritative confirmation or denial whether an Application has been filed with the Supreme Court of Canada, after careful consideration, I have chosen not to provide it to you. Had I provided this to you, I could have easily defeated your stay order with a new appeal on the grounds that you did not follow the rules (ie, motion is required to stay a proceeding).

Certainly you understand that getting caught on a repeat offence, would have been not only far more embarrassing than getting caught the first time should have been, but would likely prove to be career limiting. In saving you the additional heightened embarrassment and stigma associated with such failures, I have done you a very significant favour. You are now in my debt, and I will call upon you at my convenience.

Considering that:

- you have repeatedly broken the Rules of the Federal Court,
- you have planted evidence to the benefit of the defendant,
- the defendant has provided virtually no evidence on his motion to support his case,
- the defendant has not relied on your planted evidence at appeal,
- the defendant has plainly admitted at Appeal that there is no evidence to support the Minister's decision,

it is abundantly evident to the plaintiff that your agenda is possibly not sanctioned by the defendant, but most probably by a third party. Whom do you serve, Mr. Gleeson? Keep talking.

The LSU should be informed that the plaintiff would be willing to allow their continuation of money laundering activities, in consideration for sufficiently generous settlement terms. While the proceeding will continue to bounce among judges and justitutes for some time, the dispute is about to become public to a much wider audience than it has been thus far. The plaintiff wishes to congratulate the LSU for more than two decades of conducting business with relative lack of catastrophic failure.

Mr. Gleeson, I am hereby requesting you to resign from this proceeding, or I will be forced to make a formal complaint against you to the Canadian Judicial Council, on grounds of your unethical conduct. Kindly respond no later than Friday, January 24, 2020.

On a personal note, it is my educated opinion that the judging business is not compatible with your military doctrine career, which values loyalty, chains of command, objective based strategies. Courts of justice rely on the opposite values of impartiality, judicial independence, unbiased fact finding. You should take this into consideration.

Sincerely,

Radu Hociung - Plaintiff