

Federal Court



Cour fédérale

Date: 20200124

Docket: T-1450-15

Ottawa, Ontario, January 24, 2020

PRESENT: The Honourable Mr. Justice Gleeson

BETWEEN:

RADU HOCIUNG

Plaintiff

and

**MINISTER OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS**

Defendant

DIRECTION

The Court again acknowledges the Defendant's submissions dated November 29, 2019, where the Defendant requests a stay of the action on the basis that the Plaintiff has filed an Application for Leave to Appeal the Federal Court of Appeal decision in these matters to the Supreme Court of Canada [Application].

The Court acknowledges the Plaintiff's letter dated January 20, 2020, where the Plaintiff advises that he has chosen not to confirm whether the Application has been filed with the Supreme Court of Canada, reiterates opposition to the Defendant's request for a stay pending final disposition of the Application and requests that I recuse myself in this matter.

The Court invites the Defendant to serve and file a motion in writing under Rule 369(1) of the *Federal Courts Rules*, SOR/98-106 for a stay of the action and invites both parties to specifically address in their submissions whether the Federal Court or, alternatively, the Federal Court of Appeal, has jurisdiction to stay the action under paragraph 50(1)(b) of the *Federal Courts Act*, RSC, 1985, c F-7, or any other Rule, statute, or law.

Should the Plaintiff wish to pursue recusal he is invited to proceed by way of motion.

"Patrick Gleeson"

Judge