

AFFIDAVIT

T-1450-15

FEDERAL COURT OF CANADA

BETWEEN:

Radu Hociung

Plaintiff

and

Minister of Public Safety and Emergency Preparedness

Defendant

AFFIDAVIT OF Radu Hociung

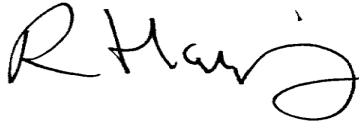
I, Radu Hociung, of the City of Panajachel in the Solola Department of Guatemala, SWEAR THAT:

1. On December 22, 2016, a Case Management Conference (CMC) was held by telephone, with Prothonotary Kevin Aalto presiding, attended by Radu Hociung (self) for the Plaintiff, Eric Peterson representing the Defendant, and Jake Shutz for the Registrar.
2. At the CMC, the Defendant was ordered to conduct oral discoveries on the plaintiff on 5-JAN-2017 either in Toronto or Kitchener.
3. By way of email (dated December 22, 2016 10:27AM EST, titled « Federal Court File T-1450-15 », enclosed as Exhibit A), Eric Peterson, Crown counsel representing the Defendant advised the Plaintiff of his intention to conduct the oral examination at his office in Toronto.
4. The plaintiff has not been served with a Direction to Attend, in Form 91, as required by the Federal Court Rule 91.
5. The plaintiff has not been paid any travel expenses as required by Federal Court Rule 90(3).

6. In an email dated January 4th, 2017, 10:26AM EST (enclosed as Exhibit B), Mr. Peterson detailed that he does not intend to pay the plaintiff for reasonable travel expenses as per Rule 90(3), but instead would « only compensate for a fraction of the actual gasoline cost » at a time following the examination.
7. In the same email (exhibit B), Mr. Peterson made a threat that his client would seek dismissing the proceeding, should the Plaintiff not attend without being paid reasonable travel expenses.

Sworn before me at the City of Panajachel in the Solola Department of Guatemala on January 25th, 2017.

Commissioner for Taking Affidavits



Radu Hociung