

Federal Court



Cour fédérale

Date: 20210506

Docket: T-130-21

Ottawa, Ontario, May 6, 2021

PRESENT: Case Management Judge Mandy Ayles

BETWEEN:

JOHN C. TURMEL

Plaintiff

and

HER MAJESTY THE QUEEN

Defendant

ORDER

UPON DIRECTION of the Court issued April 26, 2021 requiring that the parties confer regarding the timetable for next steps in this proceeding and, by no later than May 5, 2021, provide the Court with a jointly-proposed timetable and the availability of the parties for a case management conference (in the event that the Court determines that one is required);

CONSIDERING the correspondence from the parties advising that they were unable to agree on a proposed timetable and providing the Court with their individually-proposed timetables for the Defendant's motion to strike and for security for costs (in the event that the action is not struck);

CONSIDERING that the Court is satisfied that a case management conference is not required at this time;

CONSIDERING that it is within the Court's discretion to depart from the timelines prescribed by Rule 369 for motions in writing where the Court is satisfied that such a departure is warranted. In that regard, the present motion anticipates possible cross-examinations, which are not contemplated in the timelines prescribed by Rule 369;

CONSIDERING that the Court is satisfied that the timetable proposed by the Defendant is reasonable in the circumstances;

THIS COURT ORDERS that the following timetable shall apply to the Defendant's motion to strike and for security for costs (in the alternative):

1. The Defendant shall serve their Notice of Motion and supporting affidavit(s) by no later than May 21, 2021.
2. The Plaintiff shall serve any responding affidavit(s) by no later than June 7, 2021.
3. Cross-examinations, if any, shall be completed by no later than 10 days following the date the Plaintiff serves his responding affidavit(s).
4. The Defendant shall serve and file their complete motion record by no later than 15 days from the expiration of the time to conduct cross-examinations, or, if the Plaintiff does not intend to serve an affidavit or conduct cross-examinations, 15 days from the date that the Plaintiff so advises the Defendant.
5. The Plaintiff shall serve and file his complete motion record within 15 days of service of the Defendant's motion record.

6. The Defendant shall serve and file their reply motion record within seven days of service of the Plaintiff's responding motion record.

“Mandy Ayleen”
Case Management Judge

SCHEDULE A

COURT FILE NO.	STYLE OF CAUSE
T-138-21	Raymond Turmel v. Her Majesty The Queen
T-171-21	Michel Denis Ethier v. Her Majesty The Queen
T-208-21	Biafia Inniss v. Her Majesty The Queen
T-212-21	Nathanael Inniss v. Her Majesty The Queen
T-219-21	Raymond Brunet v. Her Majesty The Queen
T-220-21	William Ernest Wayne Robinson-Ritchie v. Her Majesty The Queen
T-221-21	Wayne Robinson v. Her Majesty The Queen
T-230-21	Trevor Leadley v. Her Majesty The Queen
T-242-21	Jason F. Braun v. Her Majesty The Queen