

BETWEEN:

RAYMOND TURMEL

Applicant/Plaintiff

And

HIS MAJESTY THE KING

Respondent/Defendant

RECORD OF MOTION FOR RECONSIDERATION

For the Applicant/Plaintiff:

Raymond Turmel
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For the Respondent/Defendant

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BETWEEN:

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NOTICE OF MOTION FOR RECONSIDERATION

(Pursuant to Rule 397(1))

TAKE NOTICE THAT the Plaintiff, Raymond Turmel, will make a motion to Case Management Judge Horne in writing under Rule 369 of the Federal Courts Rules.

THE MOTION IS FOR an Order to Reconsider the Court's Jun 19 2023 Order and that such decision on my and other claims be adjourned pending the final determination of the Turmel Motion to Reconsider in the Supreme Court?

AND FOR ANY ORDER abridging the time or mode of service or dispensing with any documents or amending any error or omission which this Honourable Court may allow.

THE GROUNDS ARE THAT a motion to the Supreme Court of Canada to reconsider the dismissal of the John Turmel application for leave to appeal has been filed for exceptionally rare circumstances and so the decision to strike the John Turmel Statement of Claim T-138-21 is not yet final.

Dated at Grenville-sur-la-Rouge on Jun 22 2023.



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WRITTEN REPRESENTATIONS

1. The Court Order stated:

[1] On or about May 16, 2023, I issued the following direction in these proceedings:

These actions have been stayed pending the final determination of the proceedings in T-130-21 (the proceeding commenced by John Turmel).

The statement of claim in T-130-21 was struck, without leave to amend, by prothonotary Aylen (as she then was, as that office was then titled) on July 12, 2021. Her decision was upheld on appeal (Turmel v Canada, 2021 FC 1095). A further appeal to the Court of Appeal was dismissed (Turmel v Canada, 2022 FCA 166). Mr Turmel's application for leave to appeal to the Supreme Court of Canada was dismissed (John Turmel v. His Majesty the King, 2023 CanLII 39581 (SCC)).

The decision in T-130-21 to strike the statement of claim is therefore final.

THIS COURT ORDERS that:

1. The statements of claim in Court file T-138-21, and each of the Court files listed in Annex A to this order, are struck, without leave to amend.

2. His Majesty the King, the defendant in T-138-21 and each of the Court files listed in Annex A to this order, shall serve and file submissions as to costs within 10 days of the date of this order, not to exceed 5 pages. Any responding submissions as to costs from the plaintiffs in T-138-21 and each of the Court files listed in Annex A to this order shall be served and filed within 20 days of the date of this order, not to exceed 5 pages.

2. A motion to the Supreme Court of Canada to reconsider the dismissal of the John Turmel application for leave to appeal for exceptionally rare circumstances has been filed and so the decision to strike the John Turmel Statement of Claim T-138-21 is not yet final.

3. Applicant seeks an Order to adjourn the final decision herein pending the final determination of the Turmel Motion to Reconsider in the Supreme Court?

Dated at Grenville-sur-la-Rouge on Jun 22 2023.



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File: T-138-21

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