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Canada

Ministère de la Justice  
Canada

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**VIA EMAIL**

Our File Number: LEX-500040961

April 20, 2021

Federal Court  
90 Sparks Street  
Ottawa, Ontario  
K1A 0H9

Dear Ms. Craigie:

**Re:** *PATERSON, Duncan v Her Majesty the Queen, T-263-21*  
*HACKER, Dave A v. Her Majesty the Queen, T-269-21*  
*LONGSTAFF, Lori v. Her Majesty the Queen, T-282-21*  
*ORFORD, Michael J. v. Her Majesty the Queen, T-280-21*  
*BRINKMAN, James Vangie v. Her Majesty the Queen, T-283-21*  
*LACHANCE, Francine v. Her Majesty the Queen, T-293-21*  
*BETEAU, Christopher v. Her Majesty the Queen, T-292-21*  
*JONES, Stacey v. Her Majesty the Queen T-291-21*  
*BATCHELOR, Dyllian v. Her Majesty the Queen, T-295-21*  
*KELLY, Barbara v. Her Majesty the Queen, T-296-21*  
*KHAN, Samiullah v. Her Majesty the Queen, T-297-21*  
*POLLACK-FORGUES, Maxime v. Her Majesty the Queen, T-265-21*  
*MENZIES, Brenda v. Her Majesty the Queen, T-298-21*  
*HOLDEN, Rae-Anne L. v. Her Majesty the Queen, T-299-21*  
*HAWKINS, Wayne A. v. Her Majesty the Queen, T-300-21*  
*MENZIE, Elya v. Her Majesty the Queen, T-308-21*  
*HYSLOP, Chrystal v. Her Majesty the Queen, T-311-21*  
*HYSLOP, Gary v. Her Majesty the Queen, T-312-21*  
*NAGY, Charles v. Her Majesty the Queen, T-313-21*  
*ROSE, Melissa v. Her Majesty the Queen, T-315-21*  
*ROSE, Brian v. Her Majesty the Queen, T-314-21*  
*TAYLOR, Robert v. Her Majesty the Queen, T-318-21*  
*MEEK, Christopher v. Her Majesty the Queen, T-317-21*

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*KELLY, Stephanie v. Her Majesty the Queen, T-316-21*  
*ALLEN, Kevin v. Her Majesty the Queen, T-316-21*  
*BRINKMAN, Heather v. Her Majesty the Queen, T-322-21*  
*MOZAJKO, Igor v. Her Majesty the Queen, T-287-21*  
*GAUDETTE, Melissa v. Her Majesty the Queen, T-323-21*  
*MACDONALD, Phillip Kevin v. Her Majesty the Queen, T-327-21*  
*MACDONALD, Brittany Crystal Mary Joan v. Her Majesty the Queen, T-324-21*  
*HINGLEY, Daniel Grahame v. Her Majesty the Queen, T-333-21*  
*BYRNES, William v. Her Majesty the Queen, T-332-21*  
*NAGY, Janine v. Her Majesty the Queen, T-331-21*  
*KELLY, Jesse v. Her Majesty the Queen, T-345-21*  
*AMADEI, Giovanni v. Her Majesty the Queen, T-352-21*  
*CONNELL, Kristine v. Her Majesty the Queen, T-365-21*  
*ROLFE, Kimberly v. Her Majesty the Queen, T-370-21*  
*WOODS, Dean v. Her Majesty the Queen, T-344-21*  
*YOUNG, Betty Ann v. Her Majesty the Queen, T-364-21*  
*Joan Hughes v. Her Majesty the Queen, T-382-21*  
*Henry Urion v. Her Majesty the Queen, T-418-21*  
*Randy Ladic v. Her Majesty the Queen, T-419-21*  
*Ashlee Lugano v. Her Majesty the Queen, T-423-21*  
*Michelle Perron v. Her Majesty the Queen, T-467-21*  
*Valerie Perron-Herrera v. Her Majesty the Queen, T-471-21*  
*Kent Danforth v. Her Majesty the Queen, T-486-21*  
*Carolyn Elizabeth Ritchie v. Her Majesty the Queen, T-491-21*  
*Jennifer Green v. Her Majesty the Queen, T-512-21*  
*James Wayne Skerritt v. Her Majesty the Queen, T-404-21*  
*James Craig Low v. Her Majesty the Queen, T-524-21*  
*Juliet Jordan Starr v. Her Majesty the Queen, T-523-21*  
*Steve Vetricek v. Her Majesty the Queen, T-563-21*

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I am writing on behalf of the defendant in the above-noted matters, Her Majesty the Queen in Right of Canada (“Canada”), in response to the Court’s April 8, 2021, direction. I ask that you kindly place this letter before the case-management judge, Madam Prothonotary Aylen.

Canada agrees that the Court’s proposal to stay the above-noted claims pursuant to s 50(1)(b) of the *Federal Courts Act* pending final determination in T-130-21 and any appeal therefrom. A stay will ensure the just, most expeditious, and least expensive determination of the issues raised in the claims. The reasoning underlying the Court’s Order dated April 8, 2021, to temporarily stay the claims in T-138-21, T-171-21, T-208-21, T-219-21, T-212-21, T-220-21, T-221-21, T-

230-21 and T-242-21 (the “Initially Stayed Claims”) are equally applicable to the present claims.<sup>1</sup>

A number of plaintiffs have filed submissions requesting that their claims not be stayed, but similar to the submissions by the plaintiffs in the Initially Stayed Claims, the plaintiffs’ arguments centre on their concerns about being kept informed regarding the status of T-130-21.<sup>2</sup> The Court has held that these concerns do not give rise to prejudice or harm because the recorded entries in T-130-21 are available for viewing on the Court’s website, the plaintiffs can obtain updates on the status of T-130-21 on his website, and the Registry will provide a copy of any final determination in T-130-21 to each of the plaintiffs.<sup>3</sup>

Canada accordingly requests that the Court stay the above-noted claims pending the final determination of T-130-21. However, if the Court decides not to stay the claims of those plaintiffs who do not consent to a stay, Canada requests that it be permitted to serve and file a single motion to strike those claims.

Sincerely,



Benjamin Wong  
Counsel

c.c. (via email)      Duncan Paterson, plaintiff  
                                 Dave A Hacker, plaintiff  
                                 Lori Longstaff, plaintiff  
                                 Michael J Orford, plaintiff  
                                 James Vangie Brinkman, plaintiff  
                                 Francine Lachance, plaintiff  
                                 Chistopher Beteau, plaintiff  
                                 Stacey Jones, plaintiff  
                                 Dyllian Batchelor, plaintiff  
                                 Barbara Kelly, plaintiff  
                                 Samiullah Khan, plaintiff  
                                 Maxime Pollack-Forgues, plaintiff  
                                 Brenda Menzies, plaintiff  
                                 Rae-Anne L Holden, plaintiff

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<sup>1</sup> Order dated April 8, 2021, in T-130-21, T-138-21, T-171-21, T-208-21, T-219-21, T-212-21, T-220-21, T-221-21, T-230-21 and T-242-21 at paras 15-22 [April 8, 2021, Order].

On April 19, 2021, Canada was served with a Notice of Motion from the plaintiff in T-171-21, which seeks to appeal the April 8, 2021, Order. As of the date of this letter, it does not appear to have been filed with the Court.

<sup>2</sup> See for example, the submissions by the plaintiff in T-419-21 dated April 14, 2021, and the submissions by the plaintiff in T-254-21 dated April 15, 2021.

<sup>3</sup> April 8, 2021, Order at paras 19-20.

Wayne A Hawkins, plaintiff  
Elya Menzie, plaintiff  
Chrystal Hyslop, plaintiff  
Gary Hyslop, plaintiff  
Charles Nagy, plaintiff  
Melissa Rose, plaintiff  
Brian Rose, plaintiff  
Robert Taylor, plaintiff  
Christopher Meek, plaintiff  
Stephanie Kelly, plaintiff  
Kevin Allen, plaintiff  
Heather Brinkman, plaintiff  
Igor Mozajko, plaintiff  
Melissa Gaudette, plaintiff  
Brittany Crystal Mary Joan Macdonald, plaintiff  
Phillip Kevin Macdonald, plaintiff  
Daniel Grahame Hingley, plaintiff  
William Byrnes, plaintiff  
Janine Nagy, plaintiff  
Jesse Kelly, plaintiff  
Giovanni Amadei, plaintiff  
Kristine Connell, plaintiff  
Kimberly Rolfe, plaintiff  
Dean Woods, plaintiff  
Betty Ann Young, plaintiff  
Joan Hughes, plaintiff