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Wednesday May 5 2021

VIA EMAIL

Chief Administrator

Dear Sir or Madam:

re: John Turmel v. HMTQ T-130-21

Could you please place this letter before Case Management Judge Prothonotary Ayles in response to the Court's April 26, 2021, Direction on the timetable for the Defendant's Motion to Strike.

1. Defendant Canada suggested filing their motion to strike in 20 days and then another 67 days for steps not prescribed in the Rules. I pointed out Rule 369 mandates a 2-week timetable after the motion is filed.

2. Rule 369 says:

Motions in writing

369 (1) A party may, in a notice of motion, request that the motion be decided on the basis of written representations.

(2) A respondent to a motion brought in accordance with subsection (1) shall serve and file a respondent's record within 10 days..

(3) A moving party may serve and file written representations in reply within four days after being served with a respondent's record under subsection (2).

(4) On the filing of a reply under subsection (3) or on the expiration of the period allowed for a reply, the Court may dispose of a motion in writing or fix a time and place for an oral hearing of the motion.

<https://laws.justice.gc.ca/eng/regulations/SOR-98-106/FullText.html>

3. Given Canada has already had 15 weeks, 20 days to file seemed excessive and I suggested 3 days. Canada then proposed 15 days to file and 62 days for the steps not prescribed in the Rules. This timetable was also unacceptable.

4. The Defendant is under the impression that your request for steps in a timetable was dispensation from following the rules. This Court has not ordered any dispensation from following the timetable set out in Rule 369.

5. I ask this Court to follow the timetable in Rule 369.

6. The dates proposed by Canada for any hearing on this matter are acceptable.

Dated at Brantford on Wednesday May 5 2021.



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John C. Turmel

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